

# UNHCR POSITION ON RETURNS TO SOUTH SUDAN – UPDATE IV

May 2024

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Map of South Sudan



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1. This position supersedes and replaces UNHCR’s October 2021 Position on Returns to South Sudan – Update III.<sup>2</sup>

**Introduction**

2. On 11 September 2018, South Sudanese parties signed the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS)<sup>3</sup>, which stipulated “a pre-transition period of

<sup>1</sup> Not pictured on this map, but referenced throughout this document, is the Greater Pibor Administrative Area (GPAA), an area comprising the southeastern portion of Jonglei State. From 2015 to 2020, the GPAA existed as Boma State, but Boma State was dissolved in 2020 when the government reduced the number of States from 32 back to 10. Africa News, *South Sudan’s President Agrees to Have 10 States*, 15 February 2020, [www.africanews.com/2020/02/15/south-sudan-s-president-agrees-to-have-10-states/](https://www.africanews.com/2020/02/15/south-sudan-s-president-agrees-to-have-10-states/). For the boundaries of the GPAA, please see this map: Small Arms Survey, *Real but Fragile: The Greater Pibor Administrative Area*, March 2015, <https://reliefweb.int/sites/reliefweb.int/files/resources/HSBA-WP35-Greater-Pibor.pdf>, p. 9. See also, US Institute of Peace, *South Sudan: From 10 States to 32 States and Back Again*, 1 March 2021, [www.usip.org/publications/2021/03/south-sudan-10-states-32-states-and-back-again](https://www.usip.org/publications/2021/03/south-sudan-10-states-32-states-and-back-again).

<sup>2</sup> UNHCR, *UNHCR Position on Returns to South Sudan - Update III*, October 2021, [www.refworld.org/policy/countrypos/unhcr/2021/en/123939](https://www.refworld.org/policy/countrypos/unhcr/2021/en/123939).

<sup>3</sup> Intergovernmental Authority on Development (IGAD), *Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan*, 12 September 2018, <https://igad.int/programs/115-south-sudan-office/1950-signed-revitalized-agreement-on-the-resolution-of-the-conflict-in-south-sudan>; UN News Service, *South Sudan Peace Deal a ‘Big Step Forward’: UN Mission Chief*, 6 August 2018, [www.refworld.org/docid/5bc494f5a.html](https://www.refworld.org/docid/5bc494f5a.html).

eight months leading to the formation of a new transitional government of national unity, to govern during a three-year transitional period that will culminate in elections.”<sup>4</sup> The pre-transitional period was extended twice,<sup>5</sup> before a Revitalized Transitional Government of National Unity (R-TGoNU) was formed on 21 February 2020 for a transitional period of three years until February 2023.<sup>6</sup>

3. In August 2022, the government and other political actors agreed to extend the transitional period for two years.<sup>7</sup> The government reaffirmed the transition and highlighted important achievements in February 2023, marking the official beginning of the extension.<sup>8</sup> However, the implementation of the R-ARCSS remains “significantly behind schedule”.<sup>9</sup> In an important step, on 18 September 2023 the Transitional National Legislative Assembly passed the National Elections Act 2012, (Amendment) Bill 2023.<sup>10</sup> Pursuant to the Act, the National Constitutional Review Commission (NCRC), National Elections Commission (NEC) and the Political Parties’ Council (PPC) were reconstituted in November 2023.<sup>11</sup> Nevertheless, important impediments remain to holding free and fair elections, with the UN Secretary-General having expressed concerns that insufficient progress has been made in the constitution-making process and in preparing for the December 2024 elections.<sup>12</sup> In September 2023,

<sup>4</sup> UN Security Council, *Report of the Secretary-General on South Sudan (Covering the Period from 2 September to 30 November 2018)*, 10 December 2018, S/2018/1103, [www.ecoi.net/en/document/2002349.html](http://www.ecoi.net/en/document/2002349.html), para. 3.

<sup>5</sup> “According to the terms of the R-ARCSS, 12 May 2019 was to mark the end of the eight-month pre-transitional period and the start of the 36-month transitional period, with elections to be held 60 days before the end of the transitional period. The deadline for the end of the pre-transitional period was extended for a second time until 22 February so that critical outstanding pre-transitional tasks specified under the R-ARCSS could be completed.” Security Council Report, *March 2020 Monthly Forecast: South Sudan*, 28 February 2020, [www.securitycouncilreport.org/monthly-forecast/2020-03/south-sudan-7.php](http://www.securitycouncilreport.org/monthly-forecast/2020-03/south-sudan-7.php). “The Panel notes, however, that the long delay in the resolution to the states issue was just one of the many mandatory provisions that the signatories failed to address during the eight-month pre-transitional period and its two extensions. During that period, the signatories – and the incumbent Government in particular – did not demonstrate sufficient political will, trust and urgency in adhering to key provisions of the agreement to pave the way for essential reforms designed to put the interests of the South Sudanese people at the centre of the peace process.” UN Security Council, *Letter Dated 28 April 2020 from the Panel of Experts on South Sudan Addressed to the President of the Security Council*, 28 April 2020, S/2020/342, [www.ecoi.net/en/document/2029318.html](http://www.ecoi.net/en/document/2029318.html), para. 14.

<sup>6</sup> “On 21 February 2020, the President of South Sudan, Salva Kiir Mayardit, dissolved the incumbent Government and appointed the Chairman of SPLM/A-IO, Riek Machar Teny, as First Vice-President. By swearing in Mr. Machar and four vice-presidents [...] Mr. Kiir launched the formation of the Revitalized Transitional Government of National Unity and the beginning of a transitional period of 36 months, which will end with national elections, in accordance with article 1.1.5 of the revitalized peace agreement.” UN Security Council, *Letter Dated 28 April 2020 from the Panel of Experts on South Sudan Addressed to the President of the Security Council*, 28 April 2020, S/2020/342, [www.ecoi.net/en/document/2029318.html](http://www.ecoi.net/en/document/2029318.html), para. 13. See also, African Union, *AU Commission Chairperson Welcomes the Formation of the Government of National Unity in South Sudan*, 22 February 2020, [www.peaceau.org/en/article/au-commission-chairperson-welcomes-the-formation-of-the-government-of-national-unity-in-south-sudan](http://www.peaceau.org/en/article/au-commission-chairperson-welcomes-the-formation-of-the-government-of-national-unity-in-south-sudan).

<sup>7</sup> Reuters, *South Sudan Extends Transitional Government by Two Years*, 4 August 2022, [www.reuters.com/world/africa/south-sudan-extends-transitional-government-by-two-years-2022-08-04/](http://www.reuters.com/world/africa/south-sudan-extends-transitional-government-by-two-years-2022-08-04/). The agreement to extend the transitional period reportedly did not include all political actors who had been part of the R-ARCSS. The East African, *South Sudan Extends Transitional Government by Two Years*, 4 August 2022, [www.theeastafrican.co.ke/tea/news/east-africa/south-sudan-extends-transitional-government-by-two-years-3902986](http://www.theeastafrican.co.ke/tea/news/east-africa/south-sudan-extends-transitional-government-by-two-years-3902986). “The extension [took] place against a backdrop of widespread insecurity and a heavy climate of repression. Between the localized and intercommunal conflicts in some parts of the country, floods, chronic underdevelopment, and the impact of Covid-19, South Sudan residents face a dire humanitarian situation”. Human Rights Watch (HRW), *South Sudan: Use Peace Deal Extension for Reforms*, 18 August 2022, [www.hrw.org/news/2022/08/18/south-sudan-use-peace-deal-extension-reforms](http://www.hrw.org/news/2022/08/18/south-sudan-use-peace-deal-extension-reforms).

<sup>8</sup> “On 21 February 2023, a high-level standing committee representing the parties to the peace agreement outlined a number of achievements as the two-year extension to the transitional period, agreed in August 2022, formally got under way.” UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), para. 15.

<sup>9</sup> UN Security Council, *Report of the Secretary-General pursuant to paragraph 31 of Security Council resolution 2677 (2023)*, 18 October 2023, S/2023/784, [www.ecoi.net/en/file/local/2101024/N2329968.pdf](http://www.ecoi.net/en/file/local/2101024/N2329968.pdf), para. 2. See also, Reconstituted Joint Monitoring and Evaluation Committee (RJMEC), “We Must Not Lose Focus on Pressing Issues Regarding the Implementation of the R-ARCSS”, 25 May 2023, <https://jmecsouthsudan.org/index.php/media-center/news/item/682-we-must-not-lose-focus-on-pressing-issues-regarding-the-implementation-of-the-r-arcss>. “Progress towards the implementation of the Revitalized Agreement on the Resolution of the Conflict in South Sudan (Revitalized Agreement) remained limited.” UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, December 2023, S/2023/976, [www.ecoi.net/en/file/local/2103044/N2340225.pdf](http://www.ecoi.net/en/file/local/2103044/N2340225.pdf), para. 2.

<sup>10</sup> UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, December 2023, S/2023/976, [www.ecoi.net/en/file/local/2103044/N2340225.pdf](http://www.ecoi.net/en/file/local/2103044/N2340225.pdf), para. 11.

<sup>11</sup> Sudan Tribune, *South Sudan Peace Guarantors Welcome Reconstitution of Election Commission*, 11 November 2023, <https://sudantribune.com/article279281/>. As of February 2024: “The three bodies [had] yet to be funded and resourced to become fully functional and operational.” UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf), para. 4.

<sup>12</sup> “According to [the agreements], the reconstitution of the National Constitutional Review Commission should have been completed by 30 August 2022 and the Constitution-Making Process Act 2022 promulgated by 5 February 2023. This should have been followed by the establishment of the Constitutional Drafting Committee, a 15-member technical expert body, by 30 October 2022; the recruitment of members to form the National Constitutional Conference by 30 December 2022; the conduct by the reconstituted National Constitutional Review Commission of an initial phase of civic education and collection of data on public views on the constitution-making process and the establishment of the Preparatory Subcommittee by 30 January 2023; and the preparation of the first report on the civic education and public consultation data for validation by the public by 30 March 2023. Almost 10 months after the passing of the Constitution-Making Process Act 2022 into law on 21 December 2022, none of the tasks outlined in the road map have been completed.” UN Security Council, *Report of the Secretary-General pursuant to paragraph 31 of Security Council*

the Head of the United Nations Mission in South Sudan (UNMISS) emphasized “the need to determine the type of elections to be held, voter-registration requirements and the nature of participation by refugees and internally displaced persons”.<sup>13</sup>

4. The country continues to suffer from long-term political, inter-ethnic and communal conflict, an ongoing humanitarian crisis, climactic shocks and a weak rule of law.<sup>14</sup> Displacement in the country is “at its highest levels since the [R-ARCSS] was signed” and the rate of food insecurity is higher than during the 2013 and 2016 conflicts.<sup>15</sup> In general, humanitarian needs remain high as a result of conflict, flooding, an under-resourced humanitarian response and population movements due to the conflict in Sudan.<sup>16</sup> The South Sudan situation remains “the largest refugee situation on the African continent.”<sup>17</sup>
5. The UN Security Council renewed the arms embargo and associated measures against South Sudan on 30 May 2023.<sup>18</sup>

### Security Situation

6. Since civil war broke out in 2013, two years after South Sudan gained independence from Sudan, President Salva Kiir and the main opposition leader Riek Machar have signed two peace agreements: the first on 23 January 2014<sup>19</sup> and the second on 21 December 2017.<sup>20</sup> The 2017 Cessation of Hostilities Agreement has contributed to a reduction of violence between forces loyal to Kiir and

resolution 2677 (2023), 18 October 2023, S/2023/784, [www.ecoi.net/en/file/local/2101024/N2329968.pdf](http://www.ecoi.net/en/file/local/2101024/N2329968.pdf), paras 6-7. See also, UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 11 September 2023, S/2023/657, [www.ecoi.net/en/file/local/2097812/N2325808.pdf](http://www.ecoi.net/en/file/local/2097812/N2325808.pdf), paras. 6-8; UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), para. 19.

<sup>13</sup> UN, *Critical Electoral Questions Remain Unanswered amidst Grim Humanitarian Situation in South Sudan, United Nations Officials Tell Security Council*, 15 September 2023, <https://press.un.org/en/2023/sc15412.doc.htm>. See also, Africanews, *S.Sudan: Elections in December 2024 Conceivable only if Critical Decisions Taken – UNMISS*, 25 November 2023, [www.africanews.com/2023/11/25/elections-in-december-2024-conceivable-only-if-critical-decisions-taken-head-of-unmiss/](http://www.africanews.com/2023/11/25/elections-in-december-2024-conceivable-only-if-critical-decisions-taken-head-of-unmiss/); Sudan Tribune, *South Sudan Peace Guarantors Welcome Reconstitution of Election Commission*, 11 November 2023, <https://sudantribune.com/article279281/>; UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 11 September 2023, S/2023/657, [www.ecoi.net/en/file/local/2097812/N2325808.pdf](http://www.ecoi.net/en/file/local/2097812/N2325808.pdf). “With only nine months remaining before elections in December 2024, very limited progress was made on achieving the ‘critical mass’ of implementing key benchmarks set out in the Revitalized Agreement on the Resolution of the Conflict in South Sudan to satisfy the requirement for an appropriate environment and conditions in which credible and peaceful elections can be held.” UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf), para. 2.

<sup>14</sup> US Department of State, *2023 Country Report on Human Rights Practices: South Sudan*, 23 April 2024, [www.ecoi.net/en/document/2107685.html](http://www.ecoi.net/en/document/2107685.html); Global Centre for the Responsibility to Protect, *South Sudan*, 30 November 2023, [www.globalr2p.org/countries/south-sudan/](http://www.globalr2p.org/countries/south-sudan/); UN Office for the Coordination of Humanitarian Affairs (OCHA), *2024 Humanitarian Needs and Response Plan: South Sudan*, 28 November 2023, [www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South\\_Sudan\\_HNRP\\_2024.pdf](http://www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South_Sudan_HNRP_2024.pdf), pp. 3-4; Amnesty International, *South Sudan’s Conflicts Are Not just Between Communities*, 30 March 2023, [www.amnesty.org/en/latest/news/2023/03/violent-conflicts-in-south-sudan-almost-always-involve-human-rights-violations-and-abuses-and-crimes-under-international-law/](http://www.amnesty.org/en/latest/news/2023/03/violent-conflicts-in-south-sudan-almost-always-involve-human-rights-violations-and-abuses-and-crimes-under-international-law/).

<sup>15</sup> UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), paras 62, 65.

<sup>16</sup> “The Humanitarian situation continued to worsen in South Sudan as a result of flooding, diminishing funding, and the scale of humanitarian need, which has been deepened by the influx of refugees and returnees fleeing the Sudan conflict.” RJMEC, *On the Status of Implementation of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan*, 23 October 2023, <https://reliefweb.int/attachments/b002bfb3-1601-4214-b781-003f9eab79ff/23%2010%2019%20RJMEC-3rd-Qtr-2023-Report-FINAL.pdf>, p. iii. “[...] the ongoing crisis in the Sudan has created security tensions in localities in South Sudan bordering the Sudan, including in Upper Nile, Unity, Warrap and Western Bahr el Ghazal States and Ruweng Administrative Area, and events in Gambella, Ethiopia, have led to refugee flows into Upper Nile and Jonglei.” UN Security Council, *Report of the Secretary-General pursuant to paragraph 31 of Security Council resolution 2677 (2023)*, 18 October 2023, S/2023/784, [www.ecoi.net/en/file/local/2101024/N2329968.pdf](http://www.ecoi.net/en/file/local/2101024/N2329968.pdf), para. 36. See also, US Department of State, *2023 Country Report on Human Rights Practices: South Sudan*, 23 April 2024, [www.ecoi.net/en/document/2107685.html](http://www.ecoi.net/en/document/2107685.html).

<sup>17</sup> “This protracted situation is the largest refugee situation on the African continent. Over 2.2 million refugees hosted in neighbouring countries live in often precarious conditions, exacerbated by various factors such as conflict, extreme weather conditions and food insecurity situation in the region.” UNHCR, *Operational Update: East and Horn of Africa, and the Great Lakes Region*, 27 November 2023, <https://data.unhcr.org/en/documents/details/105063>, p. 4. As of 30 April 2024, there were an estimated 2,262,808 South Sudanese refugees. See UNHCR, *Operational Data Portal: South Sudan Situation*, accessed 8 May 2024, <https://data.unhcr.org/en/situations/southsudan>.

<sup>18</sup> UN, *Security Council Extends Sanctions on South Sudan for One Year, Adopting Resolution 2683 (2023) by 10 Votes in Favour, with 5 Abstentions*, 30 May 2023, <https://press.un.org/en/2023/sc15297.doc.htm>; Amnesty International, *South Sudan: Extension of UN Arms Embargo Welcome News for Victims of Decade Long Conflict*, 30 May 2023, [www.amnesty.org/en/latest/news/2023/05/south-sudan-extension-of-un-arms-embargo-welcome-news-for-victims-of-decade-long-conflict/](http://www.amnesty.org/en/latest/news/2023/05/south-sudan-extension-of-un-arms-embargo-welcome-news-for-victims-of-decade-long-conflict/).

<sup>19</sup> IGAD, *South Sudanese Parties Sign Agreements on Cessation of Hostilities and Question of Detainees*, 23 January 2014, <https://reliefweb.int/report/south-sudan-republic/south-sudanese-parties-sign-agreements-cessation-hostilities-and>.

<sup>20</sup> IGAD, *Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access*, 21 December 2017, <https://igad.int/attachments/article/1731/1712%2021%20Signed%20CoH%20Agreement.pdf>. For a timeline of events, see US Institute of Peace (USIP), *Ceasefire Monitoring in South Sudan 2014–2019: “A Very Ugly Mission”*, August 2019, [www.usip.org/sites/default/files/2019-08/20190829-pw\\_150-pw.pdf](http://www.usip.org/sites/default/files/2019-08/20190829-pw_150-pw.pdf), p. 14.

Machar.<sup>21</sup> However, UNMISS continues to document violations of the ceasefire by signatory parties.<sup>22</sup> Additionally, UNMISS has expressed concern about an “increasing reliance of the use of proxy armed elements and/or affiliated militia groups to engage in hostilities by the government and other armed groups”.<sup>23</sup> According to UNMISS, “entrenched patterns of violence among various ethnic groups, tribes, and sub-clans have taken on an increasingly militarized character over the years, with the involvement and support of conventional parties to the conflict in most incidents”.<sup>24</sup>

7. Levels of subnational violence have remained high throughout 2022 and 2023.<sup>25</sup> During 2022, UNMISS documented 714 violent incidents affecting 3,469 civilians.<sup>26</sup> The States most affected by conflict were Upper Nile, Warrap, Jonglei, Unity, Eastern Equatoria and Central Equatoria, with most violations by signatory parties occurring in Upper Nile and Unity States.<sup>27</sup> Between August and December 2022, fighting between two splinter groups of the Sudan People's Liberation Army-in-Opposition (SPLA-IO), supported by local militias, caused at least 884 civilian casualties and resulted in displacement.<sup>28</sup>

<sup>21</sup> “The ceasefire in South Sudan is largely holding, and the country has observed a substantial reduction in political violence since 2018.” UN Security Council, *Report of the Secretary-General pursuant to paragraph 31 of Security Council resolution 2677 (2023)*, 18 October 2023, S/2023/784, [www.ecoi.net/en/file/local/2101024/N2329968.pdf](http://www.ecoi.net/en/file/local/2101024/N2329968.pdf), p. 28. “[F]ighting between forces loyal to the two men has largely subsided over the past 12 months”. The New Humanitarian, *Old Grudges and Empty Coffers: South Sudan's Precarious Peace Process*, 21 January 2021, [www.thenewhumanitarian.org/news-feature/2021/01/21/south-sudan-peace-deal-violence-famine](http://www.thenewhumanitarian.org/news-feature/2021/01/21/south-sudan-peace-deal-violence-famine).

<sup>22</sup> “[...] in 2022, while the number of violent incidents attributed to parties to the conflict declined by 37 per cent (from 428 to 272), the number of victims harmed increased by 58 per cent in comparison to 2021.” United Nations Mission in South Sudan (UNMISS), *Annual Brief on Violence Affecting Civilians*, 23 March 2023, [www.ecoi.net/en/file/local/2090391/2022\\_annual\\_brief\\_on\\_violence\\_affecting\\_civilians\\_in\\_south\\_sudan\\_0.pdf](http://www.ecoi.net/en/file/local/2090391/2022_annual_brief_on_violence_affecting_civilians_in_south_sudan_0.pdf), p. 3. Violence attributed to “conventional parties” (defined as government security forces, organized armed groups and their allies that were mobilized and controlled by military or government officials, as opposed to community-based militias and civil-defence groups, which may nevertheless benefit from indirect support) remained low during 2023. Most violence by conventional parties occurs in Central and West Equatoria. UNMISS, *Brief on Violence Affecting Civilians*, 18 March 2024, [www.ecoi.net/en/file/local/2107016/q4\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](http://www.ecoi.net/en/file/local/2107016/q4_brief_on_violence_affecting_civilians.pdf), pp. 3-4, 7. See also, UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf), para. 9; UNMISS, *Brief on Violence Affecting Civilians*, 2 December 2023, [www.ecoi.net/en/file/local/2102211/q3\\_brief\\_violence\\_affecting\\_civilians\\_cleared.pdf](http://www.ecoi.net/en/file/local/2102211/q3_brief_violence_affecting_civilians_cleared.pdf), p. 3.

<sup>23</sup> UNMISS, *Annual Brief on Violence Affecting Civilians*, 23 March 2023, [www.ecoi.net/en/file/local/2090391/2022\\_annual\\_brief\\_on\\_violence\\_affecting\\_civilians\\_in\\_south\\_sudan\\_0.pdf](http://www.ecoi.net/en/file/local/2090391/2022_annual_brief_on_violence_affecting_civilians_in_south_sudan_0.pdf), p. 3. “[...] members of these community-based militias and/or civil-defence groups have been co-opted, armed, and used as proxy armed elements by all parties to the conflict and by local actors, which has contributed to the progressive militarization of intercommunal violence.” UNMISS, *Brief on Violence Affecting Civilians*, 18 March 2024, [www.ecoi.net/en/file/local/2107016/q4\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](http://www.ecoi.net/en/file/local/2107016/q4_brief_on_violence_affecting_civilians.pdf), p. 6. “Leaders, eager to absolve themselves of command responsibility, have sought to label the violence as ‘intercommunal’, while efforts to distinguish it from recent periods of civil war have emphasized its ‘subnational’ features. The fragmentation of opposition groups, facilitated by government negotiators, have made it possible to claim that the signatories to the agreement have avoided direct conflict, even as their allied militias and recent comrades clash.” UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), p. 3, see also paras 70, 76-77. See also, Small Arms Survey, *The Periphery Cannot Hold: Upper Nile since the Signing of the R-ARCSS*, November 2022, [www.smallarmssurvey.org/sites/default/files/resources/SAS-HSBA-Upper-Nile-Report-WEB.pdf](http://www.smallarmssurvey.org/sites/default/files/resources/SAS-HSBA-Upper-Nile-Report-WEB.pdf), p. 10.

<sup>24</sup> “Furthermore, political, and administrative elites at local and national levels have contributed to the intensification of violence, including through instigating and/or participating in the planning of attacks, financial and logistical support, and provision of weapons and ammunition. Sub-national or intercommunal violence, therefore, cannot be dissociated from local and national political and military dynamics.” UNMISS, *Annual Brief on Violence Affecting Civilians*, 23 March 2023, [www.ecoi.net/en/file/local/2090391/2022\\_annual\\_brief\\_on\\_violence\\_affecting\\_civilians\\_in\\_south\\_sudan\\_0.pdf](http://www.ecoi.net/en/file/local/2090391/2022_annual_brief_on_violence_affecting_civilians_in_south_sudan_0.pdf), p. 2. For example, in the conflict in Upper Nile State during 2022, government actors provided “Agwelek forces and allied militias/groups with weapons, ammunitions, food and other logistic equipment and combat supplies”. UNMISS / Office of the High Commissioner for Human Rights (OHCHR), *Attacks Against Civilians in Greater Upper Nile, South Sudan*, 1 December 2023, [www.ecoi.net/en/file/local/2101905/greater-upper-nile-report.pdf](http://www.ecoi.net/en/file/local/2101905/greater-upper-nile-report.pdf), para. 74, see also para. 100.

<sup>25</sup> UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, December 2023, S/2023/976, [www.ecoi.net/en/file/local/2103044/N2340225.pdf](http://www.ecoi.net/en/file/local/2103044/N2340225.pdf), p. 23; UN, *South Sudan: Violence Against Civilians Ticks Up Despite Fall in Attacks Overall*, 17 March 2023, <https://news.un.org/en/story/2023/03/1134712>.

<sup>26</sup> While this represented a 27 per cent decrease in the number of incidents as compared to 2021, the number of civilian victims actually increased by 2 per cent. Additionally, UNMISS cautioned that they are unable “to comprehensively document the number of victims affected by armed violence.” UNMISS, *Annual Brief on Violence Affecting Civilians*, 23 March 2023, [www.ecoi.net/en/file/local/2090391/2022\\_annual\\_brief\\_on\\_violence\\_affecting\\_civilians\\_in\\_south\\_sudan\\_0.pdf](http://www.ecoi.net/en/file/local/2090391/2022_annual_brief_on_violence_affecting_civilians_in_south_sudan_0.pdf), p. 2. During 2023, UNMISS documented an estimated 854 violent incidents affecting 3,294 civilians. See UNMISS, *Brief on Violence Affecting Civilians*, 18 March 2024, [www.ecoi.net/en/file/local/2107016/q4\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](http://www.ecoi.net/en/file/local/2107016/q4_brief_on_violence_affecting_civilians.pdf), p. 2; UNMISS, *Brief on Violence Affecting Civilians*, 2 December 2023, [www.ecoi.net/en/file/local/2102211/q3\\_brief\\_violence\\_affecting\\_civilians\\_cleared.pdf](http://www.ecoi.net/en/file/local/2102211/q3_brief_violence_affecting_civilians_cleared.pdf), p. 1; UNMISS, *Brief on Violence Affecting Civilians*, 26 September 2023, [www.ecoi.net/en/file/local/2097965/hrd\\_q2\\_brief.pdf](http://www.ecoi.net/en/file/local/2097965/hrd_q2_brief.pdf), p. 1; UNMISS, *Brief on Violence Affecting Civilians*, 16 June 2023, [www.ecoi.net/en/file/local/2094125/230616\\_q1\\_2023\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](http://www.ecoi.net/en/file/local/2094125/230616_q1_2023_brief_on_violence_affecting_civilians.pdf), p. 1.

<sup>27</sup> UNMISS, *Annual Brief on Violence Affecting Civilians*, 23 March 2023, [www.ecoi.net/en/file/local/2090391/2022\\_annual\\_brief\\_on\\_violence\\_affecting\\_civilians\\_in\\_south\\_sudan\\_0.pdf](http://www.ecoi.net/en/file/local/2090391/2022_annual_brief_on_violence_affecting_civilians_in_south_sudan_0.pdf), p. 4.

<sup>28</sup> “UNMISS has reasonable grounds to believe that both parties committed gross violations and abuses of international human rights law, and serious violations of international humanitarian law. [...] 594 were killed (366 men, 136 women, 73 boys and 19 girls) and 290 injured (249 men, 39 women, one boy and one girl). In addition to these casualties, at least 258 civilians were abducted (108 women, 80 girls, 42 boys and 28 men), and 43 women and 32 girls subjected to sexual violence. Furthermore, UNMISS estimated that over 62,000 civilians have been displaced from their homes since the beginning of the clashes in the Upper Nile in August 2022”. UNMISS / OHCHR, *Attacks Against Civilians in Greater Upper Nile, South*

8. Between July and September 2023, UNMISS documented 215 violent incidents affecting 641 civilians, a 51 per cent increase compared to the same period in 2022.<sup>29</sup> Between October and December 2023, UNMISS documented 223 violent incidents affecting 862 civilians, which was an 11 per cent decrease compared to the year before.<sup>30</sup> Much of the violence during the last six months of 2023 occurred in areas in Jonglei and Warrap affected by inter-ethnic violence.<sup>31</sup> In Warrap State, the Ngok and Twic Dinka have fought over an ongoing territorial dispute.<sup>32</sup> In some areas, violence is linked to “longstanding grievances” or the adverse impacts of climate change, primarily increased competition for land between pastoralists and farmers.<sup>33</sup> Violence linked to signatory parties to the R-ARCSS occurred mostly in Central, Eastern and Western Equatoria States.<sup>34</sup>
9. Subnational violence exacerbates food insecurity and contributes to rising humanitarian needs.<sup>35</sup> In addition, violence during 2022 and 2023 has resulted in internal displacement, particularly in Upper Nile, Jonglei, and Unity States.<sup>36</sup> In September 2023, fighting in Pochalla in the Greater Pibor

*Sudan*, 1 December 2023, [www.ecoi.net/en/file/local/2101905/greater-upper-nile-report.pdf](http://www.ecoi.net/en/file/local/2101905/greater-upper-nile-report.pdf), paras 3-4. “[...] during the fourth quarter of 2022, a significant increase in violence involving conventional parties was noted due to the armed confrontations in the Greater Upper Nile region by splinter groups of the Sudan People’s Liberation Army-In Opposition.” UNMISS, *Brief on Violence Affecting Civilians*, 16 June 2023, [https://unmiss.unmissions.org/sites/default/files/230616\\_q1\\_2023\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](https://unmiss.unmissions.org/sites/default/files/230616_q1_2023_brief_on_violence_affecting_civilians.pdf), p. 2.

<sup>29</sup> “In comparison with the same period in 2022, this represents a 51 percent increase in the number of violent incidents (from 142 to 215) and a 14 percent decrease in the number of victims (from 745 to 641). The number of civilians killed increased by 13 percent (from 285 to 321), while the number of victims injured decreased by 25 percent (from 308 to 231).” UNMISS, *Brief on Violence Affecting Civilians*, 2 December 2023, [www.ecoi.net/en/file/local/2102211/q3\\_brief\\_violence\\_affecting\\_civilians\\_cleared.pdf](http://www.ecoi.net/en/file/local/2102211/q3_brief_violence_affecting_civilians_cleared.pdf), p. 1

<sup>30</sup> The decrease was largely due to “the overall decline of violence in the Greater Upper Nile region.” UNMISS, *Brief on Violence Affecting Civilians*, 18 March 2024, [www.ecoi.net/en/file/local/2107016/q4\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](http://www.ecoi.net/en/file/local/2107016/q4_brief_on_violence_affecting_civilians.pdf), pp. 1-2.

<sup>31</sup> *Ibid.*, pp. 2, 5; UNMISS, *Brief on Violence Affecting Civilians*, 2 December 2023, [www.ecoi.net/en/file/local/2102211/q3\\_brief\\_violence\\_affecting\\_civilians\\_cleared.pdf](http://www.ecoi.net/en/file/local/2102211/q3_brief_violence_affecting_civilians_cleared.pdf), p. 5. In December 2022, tens of thousands of Dinka and Lou Nuer fighters attacked Murle communities in Gumruk in the GPAA in retaliation for Murle raids in Jonglei. The attack “led to over a hundred casualties, the displacement of thousands of people to Pibor town, the destruction of health facilities, the razing of civilian property, and the theft of an estimated 30,000 head of livestock”. Murle raids into Jonglei have continued into 2023. Small Arms Survey, *A Pause Not a Peace: Conflict in Jonglei and the GPAA*, May 2023, [www.smallarmssurvey.org/sites/default/files/resources/HSBA-Situation-Update-Jonglei.pdf](http://www.smallarmssurvey.org/sites/default/files/resources/HSBA-Situation-Update-Jonglei.pdf), p. 2. See also, UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf), para. 20; Protection Cluster, *Protection Monitoring System South Sudan: 2023 End-of-the-Year Report*, 12 February 2024, [www.globalprotectioncluster.org/sites/default/files/2024-02/protection\\_monitoring\\_end-of-the-year\\_report\\_for\\_2023.pdf](http://www.globalprotectioncluster.org/sites/default/files/2024-02/protection_monitoring_end-of-the-year_report_for_2023.pdf), p. 3; UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 13 June 2023, S/2023/433, [www.ecoi.net/en/file/local/2094039/N2315950.pdf](http://www.ecoi.net/en/file/local/2094039/N2315950.pdf), para. 21; UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), paras 91-93.

<sup>32</sup> Small Arms Survey, *Attacked from Both Sides: Abyei’s Existential Dilemma*, July 2023, [www.smallarmssurvey.org/sites/default/files/resources/Situation\\_Update\\_Abyei\\_Existential\\_Dilemma\\_Final.pdf](http://www.smallarmssurvey.org/sites/default/files/resources/Situation_Update_Abyei_Existential_Dilemma_Final.pdf), pp. 2-4. In October to December 2023: “the unresolved border dispute between the Dinka Twic Mayardit community of Twic County and the Dinka Ngok community of the Abyei Administrative Area exacerbated the pre-existing communal tension and fragile security situation in the region, accounting for 52 percent of the civilian casualties (263 killed and 186 injured). In one such incident, at least 42 civilians were reportedly killed, and 24 others injured.” UNMISS, *Brief on Violence Affecting Civilians*, 18 March 2024, [www.ecoi.net/en/file/local/2107016/q4\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](http://www.ecoi.net/en/file/local/2107016/q4_brief_on_violence_affecting_civilians.pdf), p. 3. See also, UNMISS, *Brief on Violence Affecting Civilians*, 18 March 2024, [www.ecoi.net/en/file/local/2107016/q4\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](http://www.ecoi.net/en/file/local/2107016/q4_brief_on_violence_affecting_civilians.pdf), p. 3.

<sup>33</sup> UNMISS, *Brief on Violence Affecting Civilians*, 16 June 2023, [https://unmiss.unmissions.org/sites/default/files/230616\\_q1\\_2023\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](https://unmiss.unmissions.org/sites/default/files/230616_q1_2023_brief_on_violence_affecting_civilians.pdf), p. 5. See also, Conflict Sensitivity Resource Facility, *Climate Change and Conflict in South Sudan: Community Perceptions and Implications for Conflict-Sensitive Aid*, July 2023, [www.csrfsouthsudan.org/wp-content/uploads/2023/07/28072023\\_CSRF-Climate-wo-logo-final-1.pdf](http://www.csrfsouthsudan.org/wp-content/uploads/2023/07/28072023_CSRF-Climate-wo-logo-final-1.pdf), pp. 1-3. For example, violence between the Luanyjang in Warrap and Pakam in Lakes escalated in retaliatory attacks in February and April 2023, causing hundreds of casualties. The first attack followed “the movement of Luanyjang cattle into the area in search of pasture”. UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 13 June 2023, S/2023/433, [www.ecoi.net/en/file/local/2094039/N2315950.pdf](http://www.ecoi.net/en/file/local/2094039/N2315950.pdf), para. 23. See also, UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf), para. 23. “Climate shocks led to increased competition for scarce resources, heightening the risk of intercommunal violence, including sexual violence.” “In South Sudan, abduction, sexual slavery and forced marriage are used as part of the collective punishment of rival communities.” UN Security Council, *Conflict-Related Sexual Violence: Report of the Secretary-General*, 4 April 2024, <https://undocs.org/S/2024/292>, para. 59.

<sup>34</sup> UNMISS, *Brief on Violence Affecting Civilians*, 18 March 2024, [www.ecoi.net/en/file/local/2107016/q4\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](http://www.ecoi.net/en/file/local/2107016/q4_brief_on_violence_affecting_civilians.pdf), p. 5; UNMISS, *Brief on Violence Affecting Civilians*, 2 December 2023, [www.ecoi.net/en/file/local/2102211/q3\\_brief\\_violence\\_affecting\\_civilians\\_cleared.pdf](http://www.ecoi.net/en/file/local/2102211/q3_brief_violence_affecting_civilians_cleared.pdf), p. 5; UNMISS, *Brief on Violence Affecting Civilians*, 26 September 2023, [www.ecoi.net/en/file/local/2097965/hrd\\_q2\\_brief.pdf](http://www.ecoi.net/en/file/local/2097965/hrd_q2_brief.pdf), p. 5; UNMISS, *Brief on Violence Affecting Civilians*, 16 June 2023, [www.ecoi.net/en/file/local/2094125/230616\\_q1\\_2023\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](http://www.ecoi.net/en/file/local/2094125/230616_q1_2023_brief_on_violence_affecting_civilians.pdf), p. 5.

<sup>35</sup> OCHA, *2024 Humanitarian Needs and Response Plan: South Sudan*, 28 November 2023, [www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South\\_Sudan\\_HNRP\\_2024.pdf](http://www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South_Sudan_HNRP_2024.pdf), p. 4; UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), p. 2.

<sup>36</sup> IDMC, *Global Report on Internal Displacement 2023*, 11 May 2023, [www.internal-displacement.org/sites/default/files/publications/documents/IDMC\\_GRID\\_2023\\_Global\\_Report\\_on\\_Internal\\_Displacement\\_LR.pdf](http://www.internal-displacement.org/sites/default/files/publications/documents/IDMC_GRID_2023_Global_Report_on_Internal_Displacement_LR.pdf), p. 25. “Estimates suggest that between the start of the conflict, in August 2022, and December 2022, nearly 90,000 civilians were displaced in northern Jonglei and Upper Nile States.” UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), para. 75.

Administrative Area displaced an estimated 12,000 persons within South Sudan and into Ethiopia.<sup>37</sup> In November and December 2023, violent clashes caused the displacement of at least 35,000 persons from Leer, Unity State.<sup>38</sup>

10. On 14 January 2023, over 50,000 troops graduated in the newly formed Necessary Unified Forces.<sup>39</sup> However, deployment of the troops has been delayed and the government has struggled to pay the troops.<sup>40</sup> Poor and crowded conditions in the barracks have led to deaths and desertions.<sup>41</sup> In addition, serious human rights concerns have been raised about women in the Necessary Unified Forces barracks.<sup>42</sup>

## Human Rights Situation

11. UNMISS continues to document human rights violations in South Sudan, including the killing, injuring and abducting of civilians, conflict-related sexual violence, arbitrary arrests and detention, extrajudicial executions and restrictions on fundamental freedoms.<sup>43</sup> Across the country, governmental authorities use summary executions to punish persons accused of being involved in violent activities or of

<sup>37</sup> The fighting appears to have been between various factions of the security forces along with other armed actors. UN Security Council, *Interim report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2683 (2023)*, 1 December 2023, S/2023/922, [www.ecoi.net/en/file/local/2102168/N2333613.pdf](http://www.ecoi.net/en/file/local/2102168/N2333613.pdf), paras 58-65.

<sup>38</sup> "On 8 December, Leer County authorities reported over 35,000 people displaced to the surrounding areas following heavy fighting between armed factions in Leer in December. On 2 December, fighting between armed elements in Guit County, Unity State, displaced over 2,000 people." UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf). "According to media reports, SSPDF and allied armed youth militias attacked a SPLA-IO outpost in Leer county (Unity State) in November, resulting in the alleged displacement of more than 100,000 civilians." US Department of State, *2023 Country Report on Human Rights Practices: South Sudan*, 23 April 2024, [www.ecoi.net/en/document/2107685.html](http://www.ecoi.net/en/document/2107685.html). See also, UN General Assembly, *Report of the Commission on Human Rights in South Sudan*, 29 February 2024, A/HRC/55/26, [www.ecoi.net/en/file/local/2105255/A\\_HRC\\_55\\_26\\_AdvanceUneditedVersion.docx](http://www.ecoi.net/en/file/local/2105255/A_HRC_55_26_AdvanceUneditedVersion.docx), paras 17, 34-35.

<sup>39</sup> The Necessary Unified Force is prescribed in the peace agreement as a way to unify disparate armed actors. See UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), paras 43-44; UNMISS, *UNMISS Supports Graduation of Forces in Malakal, Upper Nile*, 22 November 2022, <https://unmiss.unmissions.org/unmiss-supports-graduation-forces-malakal-upper-nile>; *AfricLaw, What Is Next after the Graduation of the Necessary Unified Forces?*, 20 September 2022, <https://africlaw.com/2022/09/20/what-is-next-after-the-graduation-of-the-necessary-unified-forces/>.

<sup>40</sup> "There were a series of delays in the graduation of the first batch of Necessary Unified Forces elements, as well as in the allocation of positions within the middle and lower-level command structure of the armed forces. This has, in turn, delayed the deployment of the first batch, as well as the training and graduation of the second batch, which, in accordance with the road map, should have been completed by 30 November 2022." UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), para. 18, see also para. 24. See also, UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf), para. 5; UN Security Council, *Report of the Secretary-General pursuant to paragraph 31 of Security Council resolution 2677 (2023)*, 18 October 2023, S/2023/784, [www.ecoi.net/en/file/local/2101024/N2329968.pdf](http://www.ecoi.net/en/file/local/2101024/N2329968.pdf), paras 3, 29. The first battalion of around 750 to 1,000 soldiers was deployed in November 2023. *Africanews, South Sudan Deploys First Unified Forces after Peace Deal*, 15 November 2023, [www.africanews.com/2023/11/15/south-sudan-deploys-first-unified-forces-after-peace-deal/](http://www.africanews.com/2023/11/15/south-sudan-deploys-first-unified-forces-after-peace-deal/); *Eye Radio, South Sudan Kicks Off Long-Awaited Deployment of Forces*, 15 November 2023, [www.eyeradio.org/south-sudan-kicks-off-long-awaited-deployment-of-forces/](http://www.eyeradio.org/south-sudan-kicks-off-long-awaited-deployment-of-forces/).

<sup>41</sup> "Despite having graduated months ago, most forces remain in and around their training centres, though poor conditions have led to hundreds of deaths and thousands of desertions. As many graduates do not receive regular salaries, most spend much of their time working in the local community". UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), para. 46. Additionally, reports indicate that soldiers who graduated as part of the Necessary Unified Force but who were from the SPLM/South Sudan People's Defence Forces have been receiving salaries, while graduates who came from any other armed group have not. UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf), para. 5; UN Security Council, *Report of the Secretary-General pursuant to paragraph 31 of Security Council resolution 2677 (2023)*, 18 October 2023, S/2023/784, [www.ecoi.net/en/file/local/2101024/N2329968.pdf](http://www.ecoi.net/en/file/local/2101024/N2329968.pdf), para. 28. On 11 September 2023, the government ordered graduates back to their barracks since many had dispersed into the local community after not receiving salaries or assignments. UN Security Council, *Interim report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2683 (2023)*, 1 December 2023, S/2023/922, [www.ecoi.net/en/file/local/2102168/N2333613.pdf](http://www.ecoi.net/en/file/local/2102168/N2333613.pdf), para. 46.

<sup>42</sup> There is "a severe lack of food, medicines, soap and sanitary products". Reportedly, women have miscarried in barracks due to the unavailability of healthcare. Poor conditions force some women into survival sex, particularly with male officers. Women who have children while in the barracks continue living in these conditions with their infants. UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), paras 51-61.

<sup>43</sup> Between 1 December 2023 and 15 February 2024: "UNMISS documented and verified 174 incidents of violence, which affected 777 civilians, including 75 women and 55 children (38 boys and 17 girls): 381 civilians killed (24 women, 10 boys and 2 girls), 249 injured (27 women, 4 boys and 2 girls), 57 abducted (21 women, 24 boys and 11 girls), 90 victims of arbitrary arrest and detention (3 women and 2 girls) and 1 victim of unlawful detention and ill - treatment." UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf), para. 64. See also, US Department of State, *2023 Country Report on Human Rights Practices: South Sudan*, 23 April 2024, [www.ecoi.net/en/document/2107685.html](http://www.ecoi.net/en/document/2107685.html); UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, December 2023, S/2023/976, [www.ecoi.net/en/file/local/2103044/N2340225.pdf](http://www.ecoi.net/en/file/local/2103044/N2340225.pdf), para. 85; UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 11 September 2023, S/2023/657, [www.ecoi.net/en/file/local/2097812/N2325808.pdf](http://www.ecoi.net/en/file/local/2097812/N2325808.pdf), para. 69, see also paras 71, 75, 77.

committing crimes.<sup>44</sup> There was a spike in local authorities carrying out extrajudicial executions in Warrap State during 2022.<sup>45</sup> During attacks, armed actors, including government forces, have beheaded civilians and burned homes while men, women and children remained inside.<sup>46</sup>

12. In February 2023, the Commission on Human Rights in South Sudan said that “space for public debate has now virtually disappeared”.<sup>47</sup> The government has prevented peaceful assemblies and cracked down on organizations perceived as critical of the State.<sup>48</sup> There are continuing reports of censorship, harassment, and arbitrary arrest and detention of journalists, activists, human rights defenders and other civilians by the National Security Service (NSS) for expressing views that are critical of or dissenting from those of the Government.<sup>49</sup> The NSS operates separate detention facilities where detainees are subjected to torture and ill-treatment and kept in poor conditions.<sup>50</sup> The NSS has targeted South Sudanese activists abroad, including in February 2023 when an activist was arrested in Kenya and forcibly returned to South Sudan.<sup>51</sup>

13. Children are severely affected by the ongoing conflict.<sup>52</sup> There were 457 grave violations affecting at

<sup>44</sup> “Reports of allegations of extrajudicial executions continued to be received. [From 1 June to 31 August 2023], 10 civilians (nine men and one boy) were reportedly executed in Warrap and Lakes States on accusations by the State authorities of involvement in intercommunal violence and other criminal activities.” UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 11 September 2023, S/2023/657, [www.ecoi.net/en/file/local/2097812/N2325808.pdf](http://www.ecoi.net/en/file/local/2097812/N2325808.pdf), para. 70. “The pervasive practice of extrajudicial executions by state authorities as a response to localized violence persisted, [...]. UNMISS received reports of extrajudicial executions of 19 civilians (14, including 1 woman, in Warrap State and 5 in Lakes State). The individuals were accused by the state authorities of involvement in intercommunal violence and other criminal activities”. UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 13 June 2023, S/2023/433, [www.ecoi.net/en/file/local/2094039/N2315950.pdf](http://www.ecoi.net/en/file/local/2094039/N2315950.pdf), para. 73. See also, US Department of State, *2023 Country Report on Human Rights Practices: South Sudan*, 23 April 2024, [www.ecoi.net/en/document/2107685.html](http://www.ecoi.net/en/document/2107685.html); UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, December 2023, S/2023/976, [www.ecoi.net/en/file/local/2103044/N2340225.pdf](http://www.ecoi.net/en/file/local/2103044/N2340225.pdf), para. 86.

<sup>45</sup> UNMISS, *Annual Brief on Violence Affecting Civilians*, 23 March 2023, [www.ecoi.net/en/file/local/2090391/2022\\_annual\\_brief\\_on\\_violence\\_affecting\\_civilians\\_in\\_south\\_sudan\\_0.pdf](http://www.ecoi.net/en/file/local/2090391/2022_annual_brief_on_violence_affecting_civilians_in_south_sudan_0.pdf), p. 3. “According to a Small Arms Survey report, the governor of Warrap State, Manhiem Bol Malek, was responsible for approximately 20 extrajudicial killings during [2023].” US Department of State, *2023 Country Report on Human Rights Practices: South Sudan*, 23 April 2024, [www.ecoi.net/en/document/2107685.html](http://www.ecoi.net/en/document/2107685.html). In addition, the governor of Lakes State regularly uses “swift and sweeping military operations that often bypass legal safeguards” and, under his leadership, “the number of extrajudicial killings and unlawful detentions in Lakes State has climbed”. UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), paras 110-113.

<sup>46</sup> UN General Assembly, *State of Impunity: The Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP.3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP.3.pdf), paras 67, 69, 71, 73.

<sup>47</sup> “Human rights activists continue being harassed, arbitrarily detained, and threatened with death and other forms of harm. State actors persist in the unlawful harassment of journalists. Members of the public raising human rights issues on social media have also been subjected to harassment. Individuals, media and civil society organizations are all targeted, and some organizations have been forced to close.” UN General Assembly, *State of Impunity: The Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP.3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP.3.pdf), para. 390.

<sup>48</sup> CIVICUS, *Country Brief: South Sudan Overview of Recent Restrictions To Civic Freedoms*, August 2022, <https://civicus.org/documents/SouthSudanResearchBrief.pdf>, pp. 3-4. See also, UN General Assembly, *State of Impunity: The Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP.3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP.3.pdf), paras 393-400.

<sup>49</sup> UN General Assembly, *Entrenched Repression: Systematic Curtailment of the Democratic and Civic Space in South Sudan*, 5 October 2023, A/HRC/54/CRP.6, [www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/cohrsouthsudan/A\\_HRC\\_54\\_CRP.6\\_0.pdf](http://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/cohrsouthsudan/A_HRC_54_CRP.6_0.pdf), paras 1, 4-5, 61-67, 73, 76-77, 79, 87, 90, 92-94. See also, US Department of State, *2023 Country Report on Human Rights Practices: South Sudan*, 23 April 2024, [www.ecoi.net/en/document/2107685.html](http://www.ecoi.net/en/document/2107685.html); UN General Assembly, *Report of the Commission on Human Rights in South Sudan*, 29 February 2024, A/HRC/55/26, [www.ecoi.net/en/file/local/2105255/A\\_HRC\\_55\\_26\\_AdvanceUneditedVersion.docx](http://www.ecoi.net/en/file/local/2105255/A_HRC_55_26_AdvanceUneditedVersion.docx), paras 83-88. “During the reporting period, South Sudanese authorities continued to target civil society activists, journalists and media outlets, protesters, lawyers and human rights defenders across the country, as well as in the region”. UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), para. 123, see also pp. 113-114. In July 2022: “NSS personnel unlawfully detained a Tambura civil society leader who had advocated against child recruitment”. UN General Assembly, *State of Impunity: The Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP.3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP.3.pdf), para. 233, see also paras 390-392.

<sup>50</sup> US Department of State, *2023 Country Report on Human Rights Practices: South Sudan*, 23 April 2024, [www.ecoi.net/en/document/2107685.html](http://www.ecoi.net/en/document/2107685.html). “Conditions in these detention centers, where detainees are held incommunicado and for long periods, often subjected to torture and other forms of ill-treatment, are poor”. HRW, *Joint Open Letter: Strengthen Gaps in Amendments to South Sudan’s Abusive National Security Service Act*, 27 July 2023, [www.hrw.org/news/2023/07/27/joint-open-letter-strengthen-gaps-amendments-south-sudans-abusive-national-security](http://www.hrw.org/news/2023/07/27/joint-open-letter-strengthen-gaps-amendments-south-sudans-abusive-national-security).

<sup>51</sup> UN General Assembly, *Entrenched Repression: Systematic Curtailment of the Democratic and Civic Space in South Sudan*, 5 October 2023, A/HRC/54/CRP.6, [www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/cohrsouthsudan/A\\_HRC\\_54\\_CRP.6\\_0.pdf](http://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/cohrsouthsudan/A_HRC_54_CRP.6_0.pdf), paras 125, 131, 150; UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), paras 125-129. “Even abroad, many individuals are still not safe from the reach of State security forces, who have a track record of facilitating renditions, with impunity.” UN General Assembly, *State of Impunity: The Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP.3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP.3.pdf), para. 398.

<sup>52</sup> “[...] the State’s failures to implement its treaty and domestic commitments on the rights of the child [...] have had devastating impacts on children and society. Children suffer disproportionately from precarious health and humanitarian conditions, and constitute most of the population requiring assistance.” UN General Assembly, *Report of the Commission on Human Rights in South Sudan*, 29 February 2024, A/HRC/55/26,



least 409 children between 1 July 2020 and 30 June 2022, including recruitment of children, killing and maiming, abduction and sexual violence.<sup>53</sup> In 2022 alone, an estimated 110 children (30 of whom were under the age of 15) were recruited by government forces and other armed actors for use in combat or to act as bodyguards, porters or cooks.<sup>54</sup> Multiple armed actors forcibly recruit children and adults.<sup>55</sup> Women and children are often abducted in attacks or raids, and likely subjected to sexual violence.<sup>56</sup> Children as young as seven are subjected to sexual violence during attacks.<sup>57</sup>

14. In general, gender-based violence (GBV) is rampant and still increasing, with 2.8 million persons at risk of GBV in 2023.<sup>58</sup> According to the UN, “[c]onflict-related sexual violence against women and girls is widespread and systematic throughout South Sudan.”<sup>59</sup> There was an increase in documented conflict-

[www.ecoi.net/en/file/local/2105255/A\\_HRC\\_55\\_26\\_AdvanceUneditedVersion.docx](http://www.ecoi.net/en/file/local/2105255/A_HRC_55_26_AdvanceUneditedVersion.docx), para. 53. “[...] the lives of women and children in South Sudan also remain marked by coercion, exploitation and violence. These dynamics are pervasive and transcend age, location and political affiliation”. UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), para. 67. “[...] in the specific context of South Sudan, women and children continue to be disproportionately affected by the effects of conflict, particularly in terms of access to health care, education, and income generating activities in volatile areas.” UNMISS, *Brief on Violence Affecting Civilians*, 26 September 2023, [https://unmiss.unmissions.org/sites/default/files/brief\\_on\\_violence\\_affecting\\_civilians\\_april\\_-\\_june\\_2023.pdf](https://unmiss.unmissions.org/sites/default/files/brief_on_violence_affecting_civilians_april_-_june_2023.pdf), p. 5.

<sup>53</sup> “A spike in violations was verified between July 2021 and June 2022, due partly to prevailing pockets of armed conflict resulting from defections and the splintering of parties to the conflict and partly to improved conditions for monitoring and reporting on grave violations enabled by the formation of the necessary unified forces.” UN Security Council, *Children and Armed Conflict in South Sudan: Report of the Secretary-General*, 10 February 2023, S/2023/99, <https://undocs.org/S/2023/99>, para. 24. See also, UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, December 2023, S/2023/976, [www.ecoi.net/en/file/local/2103044/N2340225.pdf](http://www.ecoi.net/en/file/local/2103044/N2340225.pdf), para. 90. “The Commission observed the ongoing forced recruitment and use of children by armed forces and groups during 2023.” UN General Assembly, *Report of the Commission on Human Rights in South Sudan*, 29 February 2024, A/HRC/55/26, [www.ecoi.net/en/file/local/2105255/A\\_HRC\\_55\\_26\\_AdvanceUneditedVersion.docx](http://www.ecoi.net/en/file/local/2105255/A_HRC_55_26_AdvanceUneditedVersion.docx), para. 56.

<sup>54</sup> UN Security Council, *Children and Armed Conflict: Report of the Secretary-General*, 5 June 2023, <https://undocs.org/S/2023/363>, para. 165. Between 1 July 2020 and 30 June 2022, the UN documented the “recruitment and use of 182 children (174 boys and 8 girls) [...] SPLA-IO and SSPDF were the two top perpetrators of recruitment and use of children. Of the 182 violations, 117 were attributed to non-State actors”. UN Security Council, *Children and Armed Conflict in South Sudan: Report of the Secretary-General*, 10 February 2023, S/2023/99, <https://undocs.org/S/2023/99>, paras 30-31. Between 1 December 2023 and 15 February 2024, the UN verified the recruitment and use of at least 20 boys. UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf), para. 67.

<sup>55</sup> In Western Equatoria, “[the National Salvation Front (NAS)] continues to abduct civilians, including children, to bolster its forces”. UN General Assembly, *State of Impunity: The Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP\\_3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP_3.pdf), para. 211, see also paras 237-239. “The Koch County Commissioner, Gordon Koang, launched a forceful recruitment campaign in Unity State in December 2022 [...]. Additional forced recruitment exercises by SPLA-IO, including of children and humanitarian workers, were reported within the Bentiu internally displaced persons site in January 2023.” UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), para. 50. See also, US Department of State, *2023 Country Report on Human Rights Practices: South Sudan*, 23 April 2024, [www.ecoi.net/en/document/2107685.html](http://www.ecoi.net/en/document/2107685.html).

<sup>56</sup> UN General Assembly, *Report of the Commission on Human Rights in South Sudan*, 29 February 2024, A/HRC/55/26, [www.ecoi.net/en/file/local/2105255/A\\_HRC\\_55\\_26\\_AdvanceUneditedVersion.docx](http://www.ecoi.net/en/file/local/2105255/A_HRC_55_26_AdvanceUneditedVersion.docx), paras 44-51; UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), paras 81-89; UN General Assembly, *Conflict-Related Sexual Violence Against Women and Girls in South Sudan*, 21 March 2022, A/HRC/49/CRP.4, [www.ohchr.org/sites/default/files/2022-03/A\\_HRC\\_49\\_CRP\\_4.pdf](http://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_CRP_4.pdf), paras 51-57. “UNMISS has reason to believe that many abducted women and girls were subjected to sexual violence [in 2022] as well.” UNMISS, *Annual Brief on Violence Affecting Civilians*, 23 March 2023, [www.ecoi.net/en/file/local/2090391/2022\\_annual\\_brief\\_on\\_violence\\_affecting\\_civilians\\_in\\_south\\_sudan\\_0.pdf](http://www.ecoi.net/en/file/local/2090391/2022_annual_brief_on_violence_affecting_civilians_in_south_sudan_0.pdf), p. 6.

<sup>57</sup> In 2023, UNMISS “documented incidents of conflict-related sexual violence, including rape, gang rape, sexual slavery, forced marriage, forced abortion and forced nudity, affecting 118 women, 98 girls, 4 men and 1 boy.” Government forces perpetrated 51 per cent of cases, and the age of the survivors ranged from 6 to 49 years old. “In South Sudan, abduction, sexual slavery and forced marriage are used as part of the collective punishment of rival communities.” UN Security Council, *Conflict-Related Sexual Violence: Report of the Secretary-General*, 4 April 2024, <https://undocs.org/S/2024/292>, para. 60. See also, UN Security Council, *Children and Armed Conflict: Report of the Secretary-General*, 5 June 2023, <https://undocs.org/S/2023/363>, para. 167. Between 1 July 2020 and 30 June 2022, 74 cases of rape and sexual violence were verified, most perpetrated by government forces in Unity State during attacks. UN Security Council, *Children and Armed Conflict in South Sudan: Report of the Secretary-General*, 10 February 2023, S/2023/99, <https://undocs.org/S/2023/99>, para. 50. “[...] widespread sexual violence is a feature of systematic attacks on civilians [in southern Unity State]. Women and girls in the crowded camp in Bentiu “continue to be subjected to rape and sexual violence” committed by “SSPDF and SPLM/A-IO soldiers”. UN General Assembly, *Report of the Commission on Human Rights in South Sudan*, 29 February 2024, A/HRC/55/26, [www.ecoi.net/en/file/local/2105255/A\\_HRC\\_55\\_26\\_AdvanceUneditedVersion.docx](http://www.ecoi.net/en/file/local/2105255/A_HRC_55_26_AdvanceUneditedVersion.docx), para. 39.

<sup>58</sup> This is a 9 per cent increase from 2022. UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), para. 67. See also, UN General Assembly, *Report of the Commission on Human Rights in South Sudan*, 29 February 2024, A/HRC/55/26, [www.ecoi.net/en/file/local/2105255/A\\_HRC\\_55\\_26\\_AdvanceUneditedVersion.docx](http://www.ecoi.net/en/file/local/2105255/A_HRC_55_26_AdvanceUneditedVersion.docx), para. 38.

<sup>59</sup> UN General Assembly, *Conflict-Related Sexual Violence Against Women and Girls in South Sudan*, 21 March 2022, A/HRC/49/CRP.4, [www.ohchr.org/sites/default/files/2022-03/A\\_HRC\\_49\\_CRP\\_4.pdf](http://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_CRP_4.pdf), p. 1. It is likely significantly underreported due to “fear of reprisal, stigma, and safety and security”. UN General Assembly, *State of Impunity: The Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP\\_3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP_3.pdf), para. 250. Between 1 December 2023 and 15 February 2024: “UNMISS documented and verified 39 incidents of conflict-related sexual violence affecting 54 survivors (32 women, 17 girls, 3 boys and 2 men). Survivors’ ages ranged from 12 to 45 years old.” UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf), para. 71. “Events of systematic rape of women and minors as young as eight

related sexual violence during 2022, including “rape, attempted rape, gang rape, forced nudity, abduction for the purposes of sexual exploitation, forced marriage and sexual slavery”.<sup>60</sup> Sexual slavery and violence has been used by government forces as an incentive for combatants.<sup>61</sup> In addition, perpetrators of sexual violence in South Sudan have reportedly targeted victims based on their ethnicity or perceived political affiliation.<sup>62</sup> Impunity is the norm for perpetrators of sexual violence, despite the institution of specialized GBV courts in some areas.<sup>63</sup>

15. Despite serious violations of human rights and international humanitarian law, there is limited access to justice and perpetrators continue to commit violations with impunity.<sup>64</sup> The justice system suffers from a lack of resources and capacity as well as corruption and interference.<sup>65</sup>

## Humanitarian Situation

16. In 2023, an estimated 9.4 million people, 76 per cent of the population, were in need of humanitarian assistance.<sup>66</sup> This was an increase of 500,000 people from 2022, due mostly to “conflict, widespread flooding, deepening food insecurity, lack of access to basic services, inflation, and high food prices”.<sup>67</sup>

years old by parties to the conflict operating between Karasana and the border have been reported.” Protection Cluster, *South Sudan: Protection Analysis Update*, 29 March 2024, [www.globalprotectioncluster.org/sites/default/files/2024-03/pau24\\_protection\\_analysis\\_update\\_february\\_2024\\_south\\_sudan\\_external\\_version.pdf](http://www.globalprotectioncluster.org/sites/default/files/2024-03/pau24_protection_analysis_update_february_2024_south_sudan_external_version.pdf), p. 8.

<sup>60</sup> UN Security Council, *Conflict-Related Sexual Violence: Report of the Secretary-General*, 22 June 2023, S/2023/413, <https://undocs.org/S/2023/413>, para. 57. See also, UN Security Council, *Conflict-Related Sexual Violence: Report of the Secretary-General*, 4 April 2024, <https://undocs.org/S/2024/292>, para. 60. “Overall, the number of women recorded as victims of CRSV increased by 102 per cent between 2021 and 2022. Further, UNMISS has reason to believe that many abducted women and girls were subjected to sexual violence as well.” UNMISS, *Annual Brief on Violence Affecting Civilians*, 23 March 2023, [www.ecoi.net/en/file/local/2090391/2022\\_annual\\_brief\\_on\\_violence\\_affecting\\_civilians\\_in\\_south\\_sudan\\_0.pdf](http://www.ecoi.net/en/file/local/2090391/2022_annual_brief_on_violence_affecting_civilians_in_south_sudan_0.pdf), p. 6. Sexual violence was used extensively by government-affiliated forces in southern Unity State in February and April 2022, with as many as 30 rapes and gang rapes occurring on the first day of an armed offensive. UN General Assembly, *State of Impunity: The Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP.3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP.3.pdf), para. 254.

<sup>61</sup> UN Security Council, *Conflict-Related Sexual Violence: Report of the Secretary-General*, 22 June 2023, S/2023/413, <https://undocs.org/S/2023/413>, para. 57. “Sexual violence in South Sudan has been instrumentalized as a reward and entitlement for youth and men participating in conflict. It serves as a means of building ethnic solidarity to mete out retribution against perceived enemies; the objective being to inflict maximum disruption and the destruction of the fabric of communities, including through their constant displacement. This scourge has had the most profound impact on victims, their families and communities.” UN General Assembly, *Conflict-Related Sexual Violence Against Women and Girls in South Sudan*, 21 March 2022, A/HRC/49/CRP.4, [www.ohchr.org/sites/default/files/2022-03/A\\_HRC\\_49\\_CRP\\_4.pdf](http://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_CRP_4.pdf), p. 1.

<sup>62</sup> “Conflict-related violence including sexual violence in South Sudan has an ethnic dimension, as the fate of abductees usually depends on their ethnic affiliation, confirming that the attacks are often targeted. Women and girls of the same ethnic origin as their captors reported to the Commission that they have been treated differently to women and girls from other ethnic groups.” UN General Assembly, *Conflict-Related Sexual Violence Against Women and Girls in South Sudan*, 21 March 2022, A/HRC/49/CRP.4, [www.ohchr.org/sites/default/files/2022-03/A\\_HRC\\_49\\_CRP\\_4.pdf](http://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_CRP_4.pdf), para. 53, see also para. 56. “A young woman was told that she was being raped because her family members supported the SSPDF”. UN General Assembly, *State of Impunity: The Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP.3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP.3.pdf), para. 211. “In South Sudan, abduction, sexual slavery and forced marriage are used as part of the collective punishment of rival communities.” UN Security Council, *Conflict-Related Sexual Violence: Report of the Secretary-General*, 4 April 2024, <https://undocs.org/S/2024/292>, para. 12.

<sup>63</sup> “Many women, however, have noted that the alleged progress, whether political, social or in terms of security, remains superficial and restricted to Juba. Additional justice mechanisms, such as gender-based violence courts and mobile courts, also remain ineffective in the eyes of many and do not hear cases of sexual abuse and violence conducted by soldiers during major conflict events.” UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), para. 68. “Accountability for sexual violence in South Sudan remained very low. Overall, the situation in South Sudan remained characterized by significant limitations of the rule of law and a culture of impunity surrounding sexual violence.” UN Security Council, *Children and Armed Conflict in South Sudan: Report of the Secretary-General*, 10 February 2023, S/2023/99, <https://undocs.org/S/2023/99>, para. 56. See also, UN General Assembly, *Report of the Commission on Human Rights in South Sudan*, 29 February 2024, A/HRC/55/26, [www.ecoi.net/en/file/local/2105255/A\\_HRC\\_55\\_26\\_AdvanceUneditedVersion.docx](http://www.ecoi.net/en/file/local/2105255/A_HRC_55_26_AdvanceUneditedVersion.docx), paras 39, 42-43; UN General Assembly, *State of Impunity: The Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP.3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP.3.pdf), para. 248; UN General Assembly, *Conflict-Related Sexual Violence Against Women and Girls in South Sudan*, 21 March 2022, A/HRC/49/CRP.4, [www.ohchr.org/sites/default/files/2022-03/A\\_HRC\\_49\\_CRP\\_4.pdf](http://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_CRP_4.pdf), paras 178-182.

<sup>64</sup> UN General Assembly, *State of Impunity: the Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP.3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP.3.pdf), paras 23, 236. “Impunity within the security services remained a serious problem.” US Department of State, *2023 Country Report on Human Rights Practices: South Sudan*, 23 April 2024, [www.ecoi.net/en/document/2107685.html](http://www.ecoi.net/en/document/2107685.html). “The general absence of effective formal justice institutions and an unwillingness to hold uniformed personnel accountable for human rights violations continue to sustain a culture of impunity in South Sudan.” UN Security Council, *Report of the Secretary-General pursuant to paragraph 31 of Security Council resolution 2677 (2023)*, 18 October 2023, S/2023/784, [www.ecoi.net/en/file/local/2101024/N2329968.pdf](http://www.ecoi.net/en/file/local/2101024/N2329968.pdf), para. 17.

<sup>65</sup> In both Upper Nile and Unity States, there are no permanent judges that can hear serious crimes; instead these States rely on mobile courts that come to the area sporadically. UN General Assembly, *State of Impunity: The Persistence of Violence and Human Rights Violations in South Sudan*, 3 April 2023, A/HRC/52/CRP.3, [www.ecoi.net/en/file/local/2090230/A\\_HRC\\_52\\_CRP.3.pdf](http://www.ecoi.net/en/file/local/2090230/A_HRC_52_CRP.3.pdf), paras 304-315. See also, UN General Assembly, *Report of the Commission on Human Rights in South Sudan*, 29 February 2024, A/HRC/55/26, [www.ecoi.net/en/file/local/2105255/A\\_HRC\\_55\\_26\\_AdvanceUneditedVersion.docx](http://www.ecoi.net/en/file/local/2105255/A_HRC_55_26_AdvanceUneditedVersion.docx), paras 65-70.

<sup>66</sup> UN Security Council, *Report of the Secretary-General pursuant to paragraph 31 of Security Council resolution 2677 (2023)*, 18 October 2023, S/2023/784, [www.ecoi.net/en/file/local/2101024/N2329968.pdf](http://www.ecoi.net/en/file/local/2101024/N2329968.pdf), para. 49.

<sup>67</sup> Ibid.

In 2024, the UN Office for the Coordination of Humanitarian Affairs (OCHA) estimates that 9 million persons will be in need of humanitarian assistance.<sup>68</sup>

17. As of November 2023, “[t]wo-thirds of the population – over 7.7 million people – [were] facing crisis or worse levels of hunger [...] the highest number ever, surpassing that seen even at the height of the country’s civil war.”<sup>69</sup> An estimated 90 per cent of South Sudanese returning to their country from Sudan due to the civil war that erupted in April 2023 are experiencing moderate or severe food insecurity.<sup>70</sup> The World Food Programme (WFP) was only able to provide food assistance in the form of half-rations to 40 per cent of food insecure persons during 2023 due to a funding shortfall.<sup>71</sup> More than 2.5 million women and children are at risk of acute malnutrition.<sup>72</sup>
18. In 2022, the UN Development Programme (UNDP) estimated that 92 per cent of the population of South Sudan are affected by “multidimensional poverty”.<sup>73</sup> During the fiscal year 2022/2023, the economy contracted for the third year in a row, with a negative growth of 0.4 per cent.<sup>74</sup> Between January and 30 November 2023, the South Sudanese Pound (SSP) lost approximately 60 per cent of its value against the US dollar.<sup>75</sup> The war in Sudan has caused inflation in South Sudan and disrupted supply chains, exacerbating the humanitarian situation in South Sudan.<sup>76</sup>
19. South Sudan is extremely vulnerable to natural hazards and climate change.<sup>77</sup> In recent years, the

<sup>68</sup> “An estimated 9 million people, including refugees in South Sudan, will experience critical needs in 2024.” OCHA, *2024 Humanitarian Needs and Response Plan: South Sudan*, 28 November 2023, [www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South\\_Sudan\\_HNRP\\_2024.pdf](http://www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South_Sudan_HNRP_2024.pdf), p. 1.

<sup>69</sup> World Food Programme (WFP), *South Sudan Emergency*, accessed 24 November 2024, [www.wfp.org/emergencies/south-sudan-emergency](http://www.wfp.org/emergencies/south-sudan-emergency). See also, South Sudan Food Security and Livelihoods Cluster, *Protecting Children in South Sudan’s Food Security Crisis (Advocacy Brief July 2023)*, 26 July 2023, <https://reliefweb.int/report/south-sudan/south-sudan-food-security-and-livelihoods-cluster-advocacy-brief-protecting-children-south-sudans-food-security-crisis-july-2023>, p. 1.

<sup>70</sup> UN, *Looming Hunger Emergency for South Sudanese Families Fleeing War*, 3 October 2023, <https://news.un.org/en/story/2023/10/1141817>. See also, Famine Early Warning System Network (FEWS NET), *Widespread Emergency (IPC Phase 4) Likely at the Peak of the Lean Season*, February 2024, <https://fewsn.net/east-africa/south-sudan/food-security-outlook/february-2024-0>.

<sup>71</sup> WFP, *‘Fleeing Danger, Finding Despair’: Hunger Emergency Looms for South Sudanese Fleeing Conflict in Sudan, Warns WFP*, 3 October 2023, [www.wfp.org/news/fleeing-danger-finding-despair-hunger-emergency-looms-south-sudanese-fleeing-conflict-sudan](http://www.wfp.org/news/fleeing-danger-finding-despair-hunger-emergency-looms-south-sudanese-fleeing-conflict-sudan). See also, Washington Post, *Years into a Climate Disaster, These People Are Eating the Unthinkable*, 2 November 2023, [www.washingtonpost.com/climate-environment/2023/11/02/south-sudan-climate-floods-war/](http://www.washingtonpost.com/climate-environment/2023/11/02/south-sudan-climate-floods-war/).

<sup>72</sup> OCHA, *2024 Humanitarian Needs and Response Plan: South Sudan*, 28 November 2023, [www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South\\_Sudan\\_HNRP\\_2024.pdf](http://www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South_Sudan_HNRP_2024.pdf), p. 4. See also, FEWS NET, *Widespread Emergency (IPC Phase 4) Likely at the Peak of the Lean Season*, February 2024, <https://fewsn.net/east-africa/south-sudan/food-security-outlook/february-2024-0>.

<sup>73</sup> “Levels of multidimensional poverty are higher than monetary poverty because people living above the monetary poverty line can still suffer deprivation linked, for example, to lack of access to health and education. Indicative of this type of poverty is the fact that less than 6 per cent of the rural population, which constitutes 79 per cent of the population, has access to electricity.” Stockholm International Peace Research Institute (SIPRI), *Improving the Prospects for Peace in South Sudan*, June 2023, [https://reliefweb.int/attachments/ec15ca16-0c3c-404a-adfe-d115b426f146/wfp\\_south\\_sudan\\_measurement.pdf](https://reliefweb.int/attachments/ec15ca16-0c3c-404a-adfe-d115b426f146/wfp_south_sudan_measurement.pdf), p. 1. An estimated 82.3 per cent of persons lives below the international poverty line. International Federation of Red Cross and Red Crescent Societies (IFRC), *IFRC Network Country Plan 2023: South Sudan*, 29 November 2022, [www.ifrc.org/sites/default/files/2022-11/South\\_Sudan\\_Plan\\_2023.pdf](http://www.ifrc.org/sites/default/files/2022-11/South_Sudan_Plan_2023.pdf), p. 1.

<sup>74</sup> “Coupled with overlapping shocks from the global COVID pandemic and the war in Ukraine, the economy contracted by 5.1 percent and 2.3 percent in FY20/21 and FY21/22, respectively (Figure 1.4). These trends have continued into FY22/23 [...] as a result, the economy is expected to have contracted by 0.4 percent in FY22/23.” World Bank, *South Sudan Economic Monitor*, 6 December 2023, <http://documents1.worldbank.org/curated/en/099120423132018969/pdf/P50055601fc6510f80883704c40310b0c39.pdf>, p. 8.

<sup>75</sup> “This was attributed to increased money supply, depletion of Central Bank reserves and pressure on foreign exchange. The combined impact of currency depreciation and reduced commodity supplies due to the conflict in the Sudan has raised market prices.” UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, December 2023, S/2023/976, [www.ecoi.net/en/file/local/2103044/N2340225.pdf](http://www.ecoi.net/en/file/local/2103044/N2340225.pdf), para. 24.

<sup>76</sup> UN Security Council, *Report of the Secretary-General Pursuant to paragraph 31 of Security Council Resolution 2677 (2023)*, 18 October 2023, S/2023/784, [www.ecoi.net/en/file/local/2101024/N2329968.pdf](http://www.ecoi.net/en/file/local/2101024/N2329968.pdf), paras 5, 51. “As a result of the conflict in the Sudan imports to South Sudan have decreased, resulting in higher inflation of market prices. [...] The conflict in the Sudan has also exacerbated the security and humanitarian situation in South Sudan, largely owing to the influx of returnees and refugees, the reduction of available resources and weak infrastructure to meet the needs of arrivals. These factors have contributed to rising intercommunal tensions.” UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 11 September 2023, S/2023/657, [www.ecoi.net/en/file/local/2097812/N2325808.pdf](http://www.ecoi.net/en/file/local/2097812/N2325808.pdf), para. 15. “Conflict in Sudan has negatively affected South Sudan’s economy, resulting in higher food and fuel costs and risks for sub-national violence.” OCHA, *2024 Humanitarian Needs and Response Plan: South Sudan*, 28 November 2023, [www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South\\_Sudan\\_HNRP\\_2024.pdf](http://www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South_Sudan_HNRP_2024.pdf), p. 18. “The conflict in Sudan poses acute downside risks to South Sudan’s macroeconomic stability amid limited fiscal resources and pressing humanitarian needs.” World Bank, *South Sudan Macro Poverty Outlook (MPO)*, October 2023, <https://thedocs.worldbank.org/en/doc/bae48ff2f6fc5a869546775b3f010735-0500062021/related/mpo-ssd.pdf>, p. 1. See also, Protection Cluster, *South Sudan: Protection Analysis Update*, 29 March 2024, [www.globalprotectioncluster.org/sites/default/files/2024-03/pau24\\_protection\\_analysis\\_update\\_february\\_2024\\_south\\_sudan\\_external\\_version.pdf](http://www.globalprotectioncluster.org/sites/default/files/2024-03/pau24_protection_analysis_update_february_2024_south_sudan_external_version.pdf), pp. 4-5.

<sup>77</sup> “South Sudan faces severe climate vulnerabilities, ranking as the second most vulnerable country globally to natural hazards according to the 2023 INFORM Risk Index. The country stands among the top five most climate-vulnerable countries. An estimated 95 percent of the population depends on climate-sensitive livelihoods”. OCHA, *2024 Humanitarian Needs and Response Plan: South Sudan*, 28 November 2023, [www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South\\_Sudan\\_HNRP\\_2024.pdf](http://www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South_Sudan_HNRP_2024.pdf), p. 4. See also, UN Environment Programme (UNEP), *South Sudan Adapts to Climate Change By Restoring Its Ecosystems*, 19 April 2023, [www.unep.org/gan/news/press-release/south-sudan-adapts-climate-change-restoring-its-ecosystems](http://www.unep.org/gan/news/press-release/south-sudan-adapts-climate-change-restoring-its-ecosystems).

country has experienced recurrent floods which have exacerbated humanitarian needs and prevented aid delivery, destroyed agricultural land and caused displacement.<sup>78</sup> During 2022, floods displaced an estimated 596,000 persons.<sup>79</sup> Floods have increased reliance on humanitarian aid and food supplies and exacerbated risks of water-borne diseases and malaria.<sup>80</sup> In some areas flood waters have not drained for multiple years, including around the camp for displaced persons in Bentiu in Unity State.<sup>81</sup>

20. Many South Sudanese lack access to electricity, sanitation or basic healthcare services.<sup>82</sup> Access to healthcare remains very limited, with one physician for every 65,574 persons.<sup>83</sup> Healthcare expenditures account for less than 2 per cent of the national budget, while 54 per cent of healthcare costs are covered by out-of-pocket spending.<sup>84</sup> According to the World Health Organization (WHO), South Sudan faces “an acute health workforce shortage, inadequate health infrastructure and poor health service utilization”.<sup>85</sup> In 2022, the Safeguarding Health in Conflict Coalition (SHCC) identified 24

<sup>78</sup> UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf); UN Security Council, *Report of the Secretary-General pursuant to paragraph 31 of Security Council resolution 2677 (2023)*, 18 October 2023, S/2023/784, [www.ecoi.net/en/file/local/2101024/N2329968.pdf](http://www.ecoi.net/en/file/local/2101024/N2329968.pdf), para. 40; IDMC, *Global Report on Internal Displacement 2023*, 11 May 2023, [www.internal-displacement.org/sites/default/files/publications/documents/IDMC\\_GRID\\_2023\\_Global\\_Report\\_on\\_Internal\\_Displacement\\_LR.pdf](http://www.internal-displacement.org/sites/default/files/publications/documents/IDMC_GRID_2023_Global_Report_on_Internal_Displacement_LR.pdf), p. 101. “Given current conditions and expected above-average rainfall in the coming lean season, it is likely that South Sudan will experience severe flooding in the upcoming 2024 main rainy season.” FEWS NET, *Widespread Emergency (IPC Phase 4) Likely at the Peak of the Lean Season*, February 2024, <https://fewsn.net/east-africa/south-sudan/food-security-outlook/february-2024-0>.

<sup>79</sup> “The country experienced above-average rainfall for a fourth consecutive year. The floods, which affected 36 counties, 31 of which reported displacement, also caused widespread agricultural damage. [...] Rains and floods were prevalent throughout the year and by October two-thirds of the country were under water [...] Impassable roads impeded the provision of food and other aid to more than 460,000 IDPs in Bentiu, the capital of Unity state.” IDMC, *Global Report on Internal Displacement 2023*, 11 May 2023, [www.internal-displacement.org/sites/default/files/publications/documents/IDMC\\_GRID\\_2023\\_Global\\_Report\\_on\\_Internal\\_Displacement\\_LR.pdf](http://www.internal-displacement.org/sites/default/files/publications/documents/IDMC_GRID_2023_Global_Report_on_Internal_Displacement_LR.pdf), p. 101.

<sup>80</sup> UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, December 2023, S/2023/976, [www.ecoi.net/en/file/local/2103044/N2340225.pdf](http://www.ecoi.net/en/file/local/2103044/N2340225.pdf), para. 36; UNICEF, *South Sudan: Humanitarian Situation Report No. 10*, 7 December 2023, [www.unicef.org/media/149346/file/South-Sudan-Humanitarian-SitRep-No.-10-30-October-2023.pdf](http://www.unicef.org/media/149346/file/South-Sudan-Humanitarian-SitRep-No.-10-30-October-2023.pdf), p. 2; Médecins Sans Frontières (MSF), *South Sudan: Stagnant Flood Waters Causing Malaria Peaks and Hampering Healthcare Access*, 15 September 2023, [www.doctorswithoutborders.ca/south-sudan-stagnant-flood-waters-causing-malaria-peaks-and-hampering-healthcare-access/](http://www.doctorswithoutborders.ca/south-sudan-stagnant-flood-waters-causing-malaria-peaks-and-hampering-healthcare-access/); MSF, *Communities in South Sudan Prepare for Flooding ahead of Rainy Season*, 1 August 2023, [www.msf.org/south-sudan-communities-prepare-renewed-flooding-ahead-rainy-season](http://www.msf.org/south-sudan-communities-prepare-renewed-flooding-ahead-rainy-season). “Flood-affected areas are facing the worst malnutrition due to the spread of water borne diseases and crowded conditions, aggravated by limited access to food and livelihoods.” WFP, *Climate Crisis Drives Malnutrition in South Sudan to Unprecedented Levels in Flood-Affected Areas*, WFP Warns, 6 November 2023, [www.wfp.org/news/climate-crisis-drives-malnutrition-south-sudan-unprecedented-levels-flood-affected-areas-wfp](http://www.wfp.org/news/climate-crisis-drives-malnutrition-south-sudan-unprecedented-levels-flood-affected-areas-wfp).

<sup>81</sup> MSF, *Communities in South Sudan Prepare for Flooding ahead of Rainy Season*, 1 August 2023, [www.msf.org/south-sudan-communities-prepare-renewed-flooding-ahead-rainy-season](http://www.msf.org/south-sudan-communities-prepare-renewed-flooding-ahead-rainy-season). “In South Sudan, parts of the country have been underwater now for four years. Other areas, two or three. Some 15 percent of the country is submerged year-round, as opposed to 5 percent several years ago.” Washington Post, *Years into a Climate Disaster, These People Are Eating the Unthinkable*, 2 November 2023, [www.washingtonpost.com/climate-environment/2023/11/02/south-sudan-climate-floods-war/](http://www.washingtonpost.com/climate-environment/2023/11/02/south-sudan-climate-floods-war/). See also, ICG, *Floods, Displacement and Violence in South Sudan*, 27 October 2022, <https://southsudan.crisisgroup.org/>. On 21 December 2023, flooding in Maban caused displacement and affected an estimated 200,000 persons. Jesuit Refugee Service, *South Sudan: Devastating Flooding Displaced Thousands of People*, 21 December 2023, <https://jrs.net/en/news/south-sudan-devastating-flooding-displaced-thousands-of-people/>.

<sup>82</sup> “Only seven percent of the population have access to electricity, 40 percent have access to safe water, and just 10 percent have access to improved sanitation. Furthermore, about 70 percent of South Sudanese lack access to adequate health care”. World Bank, *South Sudan Receives \$120 million to Continue Strengthening Service Delivery, Community Institutions, and Resilience to Floods*, 15 March 2022, [www.worldbank.org/en/news/press-release/2022/03/15/south-sudan-receives-120-million-to-continue-strengthening-service-delivery-community-institutions-and-resilience-to-flo](http://www.worldbank.org/en/news/press-release/2022/03/15/south-sudan-receives-120-million-to-continue-strengthening-service-delivery-community-institutions-and-resilience-to-flo). “Vulnerable groups, including women, children, the elderly, and persons with disabilities, have limited access to health care and face heightened risks of illness and mortality.” OCHA, *2024 Humanitarian Needs and Response Plan: South Sudan*, 28 November 2023, [www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South\\_Sudan\\_HNRP\\_2024.pdf](http://www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South_Sudan_HNRP_2024.pdf), p. 15.

<sup>83</sup> HealthNet TPO, *New Project: Training the Next Generation of Skilled Health Workers*, 19 May 2022, [www.healthnettpo.org/en/project/construction-aweil-health-science-institute-south-sudan](http://www.healthnettpo.org/en/project/construction-aweil-health-science-institute-south-sudan). “According to the WHO, only 11% of health facilities across the country provide the minimum level of services”. Safeguarding Health in Conflict Coalition (SHCC), *Ignoring Red Lines: Violence Against Health Care in Conflict 2022*, 1 June 2023, <https://reliefweb.int/attachments/634c40e4-80c1-431f-8e08-5a171dd61902/SHCC-Report-Ignoring-Red-Lines.pdf>, p. 82. “To reach 80 out of 100 on the UHC [universal health coverage] effective coverage index, we estimated that, per 10,000 population, at least 20.7 physicians, 70.6 nurses and midwives, 8.2 dentistry personnel, and 9.4 pharmaceutical personnel would be needed.” GBD 2019 Human Resources for Health Collaborators, *Measuring the Availability of Human Resources for Health and its Relationship to Universal Health Coverage for 204 Countries and Territories from 1990 to 2019: A Systematic Analysis for the Global Burden of Disease Study 2019*, Lancet 2022;399(10341):2129-2154, doi:10.1016/S0140-6736(22)00532-3, <https://pubmed.ncbi.nlm.nih.gov/35617980/>.

<sup>84</sup> This puts “many South Sudanese people at risk of catastrophic health costs.” WHO, *Strengthening Primary Health Care in Fragile Settings*, 8 December 2022, [www.who.int/news-room/feature-stories/detail/strengthening-primary-health-care-fragile-settings-south-sudan](http://www.who.int/news-room/feature-stories/detail/strengthening-primary-health-care-fragile-settings-south-sudan). According to OCHA, “[t]he government’s allocations to health services increased from 1.9 per cent in 2020/2021 to 7.9 per cent in 2021/2022 national budget allocations. However, the actual expenditure is not in line with the budget allocation”. OCHA, *South Sudan: Humanitarian Needs Overview 2023*, 25 November 2022, [www.ecoi.net/en/file/local/2086027/south\\_sudan\\_2023\\_hno\\_22nov2022.pdf](http://www.ecoi.net/en/file/local/2086027/south_sudan_2023_hno_22nov2022.pdf), p. 59. The government reduced the allocation for health spending in the August 2023 budget. UN General Assembly, *Report of the Commission on Human Rights in South Sudan*, 29 February 2024, A/HRC/55/26, [www.ecoi.net/en/file/local/2105255/A\\_HRC\\_55\\_26\\_AdvanceUneditedVersion.docx](http://www.ecoi.net/en/file/local/2105255/A_HRC_55_26_AdvanceUneditedVersion.docx), para. 53.

<sup>85</sup> WHO, *Strengthening Primary Health Care in Fragile Settings*, 8 December 2022, [www.who.int/news-room/feature-stories/detail/strengthening-primary-health-care-fragile-settings-south-sudan](http://www.who.int/news-room/feature-stories/detail/strengthening-primary-health-care-fragile-settings-south-sudan). See also, UN General Assembly, *Report of the Commission on Human Rights in South Sudan*, 29 February 2024, A/HRC/55/26, [www.ecoi.net/en/file/local/2105255/A\\_HRC\\_55\\_26\\_AdvanceUneditedVersion.docx](http://www.ecoi.net/en/file/local/2105255/A_HRC_55_26_AdvanceUneditedVersion.docx), para. 53.

incidents of violence against or obstruction of healthcare staff and/or facilities in the country.<sup>86</sup>

21. An estimated 5 million children were in need of humanitarian assistance in 2023.<sup>87</sup> In addition, 2.8 million children were out of school, compared to 2.2 million in 2016.<sup>88</sup> Between July 2023 and June 2024, 1.65 million children are expected to suffer from acute malnutrition, including 480,000 children who will suffer severe acute malnutrition (SAM).<sup>89</sup>
22. Humanitarian work in South Sudan continues to be disrupted by “access constraints, violence against aid workers, bureaucratic impediments, widespread criminality, intercommunal violence and revenge killings.”<sup>90</sup> South Sudan is among the most dangerous countries in the world for humanitarian workers.<sup>91</sup> Between January and October 2023, OCHA documented 339 incidents of humanitarian access constraints, with 168 incidents of violence targeting humanitarian personnel or property.<sup>92</sup> While many communities have been isolated by floodwaters, humanitarian organizations report that they face violence from armed actors when trying to transport supplies along the Nile river.<sup>93</sup>
23. As of 8 May 2024, the South Sudan Humanitarian Response Plan for 2024 had received only 10.4 per cent of its total budget requirements.<sup>94</sup>

### Refugees and Internal Displacement

24. As of 30 April 2024, countries in the region hosted over 2.2 million refugees from South Sudan, including in Uganda, Sudan, Ethiopia, Kenya, and the Democratic Republic of Congo.<sup>95</sup> Between 1 January and 30 September 2023, more than 46,000 South Sudanese fled to neighbouring countries.<sup>96</sup> The country

<sup>86</sup> At least 20 healthcare workers were kidnapped and 10 killed, mainly by members of unidentified armed groups. Violent attacks occurred in nine of South Sudan's States and administrative areas, with the highest numbers documented in Central Equatoria, Jonglei, and Unity States. Armed groups have seized crucial medicines and equipment from health facilities in Jonglei, Central Equatoria and Western Bahr el Ghazal States. SHCC, *Ignoring Red Lines: Violence Against Health Care in Conflict 2022*, 1 June 2023, <https://reliefweb.int/attachments/634c40e4-80c1-431f-8e08-5a171dd61902/SHCC-Report-Ignoring-Red-Lines.pdf>, pp. 79-83.

<sup>87</sup> UNICEF, *Cost of Inaction South Sudan 2023*, October 2023, [www.unicef.org/southsudan/media/11406/file/Cost%20of%20Inaction%202023.pdf](http://www.unicef.org/southsudan/media/11406/file/Cost%20of%20Inaction%202023.pdf), p. 1.

<sup>88</sup> UNICEF, *Invest in Education, Invest in Teachers, Invest in the Future*, accessed 8 May 2024, [www.unicef.org/southsudan/invest-education-invest-teachers-invest-future](http://www.unicef.org/southsudan/invest-education-invest-teachers-invest-future).

<sup>89</sup> Integrated Food Security Phase Classification (IPC), *South Sudan: Acute Food Insecurity and Malnutrition Analysis, September 2023 – July 2024*, 6 November 2023, <https://reliefweb.int/report/south-sudan/south-sudan-ipc-acute-food-insecurity-and-acute-malnutrition-analysis-september-2023-july-2024-published-november-6-2023>, p. 9.

<sup>90</sup> UN Security Council, *Situation in South Sudan*, 22 February 2023, S/2023/135, [www.ecoi.net/en/file/local/2087898/N2304267.pdf](http://www.ecoi.net/en/file/local/2087898/N2304267.pdf), para. 26. See also, OCHA, *South Sudan: Humanitarian Access Snapshot*, 12 April 2024, [www.unocha.org/publications/report/south-sudan/south-sudan-humanitarian-snapshot-march-2024](http://www.unocha.org/publications/report/south-sudan/south-sudan-humanitarian-snapshot-march-2024).

<sup>91</sup> “With 40 attacks on aid workers so far this year, South Sudan has recorded the highest number of attacks against aid workers, according to the 2023 Aid Worker Security Report. The attacks left 22 aid workers dead and 36 injured.” OCHA, *South Sudan Tops List of most Dangerous Countries for Aid Workers in the World, and the Humanitarian Crisis Deepens amid Mounting Needs, Access Constraints, and Lack of Funding*, 17 August 2023, [https://reliefweb.int/attachments/b539f806-baa6-4cb8-84ff-8a1d4284d7eb/230817%20-%20Press%20Release\\_WHD\\_final.pdf](https://reliefweb.int/attachments/b539f806-baa6-4cb8-84ff-8a1d4284d7eb/230817%20-%20Press%20Release_WHD_final.pdf).

<sup>92</sup> “The humanitarian operating environment in South Sudan continues to be hindered by access constraints against a backdrop of inter-communal violence, armed groups mobilization, cattle raiding, national and regional political instability, economic fragility, and physical access challenges exacerbated by flooding and inadequate infrastructure. From January to October 2023, 339 incidents were reported related to these constraints, with 168 involving violence against humanitarian personnel and assets.” OCHA, *2024 Humanitarian Needs and Response Plan: South Sudan*, 28 November 2023, [www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South\\_Sudan\\_HNRP\\_2024.pdf](http://www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South_Sudan_HNRP_2024.pdf), p. 10. “Between 1 December and 15 February, 64 incidents related to humanitarian access restrictions were reported, of which 19 involved violence against humanitarian personnel and assets. [...] Since the beginning of 2023, four humanitarian workers have been killed in the line of service.” UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 26 February 2024, S/2024/188, [www.ecoi.net/en/file/local/2105268/n2404281.pdf](http://www.ecoi.net/en/file/local/2105268/n2404281.pdf), para. 31.

<sup>93</sup> UN Security Council, *Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2633 (2022)*, 26 April 2023, S/2023/294, [www.ecoi.net/en/file/local/2091671/N2308247.pdf](http://www.ecoi.net/en/file/local/2091671/N2308247.pdf), para. 66.

<sup>94</sup> As of 8 May 2024, US\$ 185.2 million out of a total of US\$ 1.6 billion had been received. OCHA Financial Tracking Service (FTS), *South Sudan Humanitarian Response Plan 2024*, accessed 8 May 2024, <https://fts.unocha.org/plans/11111/summary>.

<sup>95</sup> As of 31 January 2024, the total number of South Sudanese refugees in the region was 2,262,808, including 939,493 in Uganda and 423,309 in Ethiopia. Additionally, there were 663,361 South Sudanese refugees in Sudan (data as of 31 March 2024), 179,731 in Kenya (data as of 31 March 2024), and 53,335 in the Democratic Republic of the Congo (data as of 31 March 2024). UNHCR, *Operational Data Portal: South Sudan Situation*, accessed 8 May 2024, <https://data.unhcr.org/en/situations/southsudan>. In addition, and not included in the total number, there are over 2,500 refugees and asylum-seekers from South Sudan in the Central African Republic. UNHCR, *Regional overview of the South Sudanese Refugee Population*, 31 October 2023, <https://data.unhcr.org/en/documents/details/104347>. “The South Sudanese refugee population, more than 65% of whom are children, remains extremely vulnerable.” UNHCR, *Operational Update: East and Horn of Africa, and the Great Lakes Region*, 27 November 2023, <https://data.unhcr.org/en/documents/details/105063>, p. 4.

<sup>96</sup> UNHCR, *Operational Update: East and Horn of Africa, and the Great Lakes Region*, 27 November 2023, <https://data.unhcr.org/en/documents/details/105063>, p. 4.

also hosts 448,243 refugees, mostly from Sudan.<sup>97</sup>

25. There are over 2 million internally displaced persons (IDPs) in South Sudan, including an estimated 1.1 million persons who are displaced due to conflict and 900,000 persons displaced due to disasters.<sup>98</sup> Between 2016 and April 2023, the International Organization for Migration (IOM) documented 1,696,633 IDP returns within South Sudan.<sup>99</sup> IDPs face challenges in returning to their areas of origin including due to the security situation, the destruction of property, and lack of access to basic services.<sup>100</sup>
26. Between the signing of the R-ARCSS in September 2018 and March 2024, at least 1,328,294 South Sudanese refugees have returned to their country of origin, primarily from Uganda, Sudan, Ethiopia, the Democratic Republic of the Congo and Kenya.<sup>101</sup> Surveys and assessments conducted by UNHCR and partners among these returnees indicate that insecurity in the country of refuge is an important factor contributing to return decisions, including notably the civil war in Sudan that erupted in April 2023, together with lack of (access to) humanitarian aid and a lack of livelihoods.<sup>102</sup> While some returns are of a temporary nature, surveys with those returning also indicate that many wish to remain permanently in South Sudan, feel safe in their current location, and maintain a good relationship with their surrounding communities.<sup>103</sup>
27. As of 6 May 2024, 658,021 persons have arrived in South Sudan fleeing conflict and violence in Sudan, including 518,348 South Sudanese returnees whose return from Sudan is taking place in adverse circumstances.<sup>104</sup> Most arrivals from Sudan enter through Upper Nile State, experience substandard reception conditions and have significant humanitarian needs.<sup>105</sup> According to the UN Secretary-General, there are “growing concerns of congestion and overcrowding in Renk, Upper Nile State” with many returnees reporting “that they had experienced grave trauma, with some suffering chronic

<sup>97</sup> UNHCR, *Operational Data Portal: South Sudan*, accessed 8 May 2024, <https://data.unhcr.org/en/country/ssd>.

<sup>98</sup> UNHCR, *Operational Data Portal: South Sudan*, accessed 8 May 2024, <https://data.unhcr.org/en/country/ssd>; UNHCR, *Refugees, Asylum Seekers, Returnees and IDPs*, 31 October 2023, [www.ecoi.net/en/file/local/2100077/EHAGL\\_Regional+Situations+Dashboard\\_20230930.pdf](http://www.ecoi.net/en/file/local/2100077/EHAGL_Regional+Situations+Dashboard_20230930.pdf). “A combination of floods, conflict and food insecurity triggered 933,000 internal displacements in South Sudan in 2022, the second highest on record for the country. Conflict and violence accounted for 337,000 and floods 596,000.” IDMC, *Global Report on Internal Displacement 2023*, 11 May 2023, <https://reliefweb.int/report/world/global-report-internal-displacement-2023-grid-2023-internal-displacement-and-food-security>, p. 101.

<sup>99</sup> IOM, *South Sudan: Mobility Tracking Round 14: Baseline Locations*, 25 September 2023, <https://dtm.iom.int/reports/south-sudan-mobility-tracking-round-14-initial-data-release>, p. 3.

<sup>100</sup> “The main reported barriers preventing IDPs from returning to their areas of habitual residence prior to displacement (area of return) include lack of financial means (90.5%), house is occupied (44.6%), lack of livelihoods (33.8%), lack of services (27.9%), house is occupied (16.4%), insecurity (15.7%) and uncertainty (4.3%).” IOM, *South Sudan: Inter Sectoral Needs Assessment (ISNA): Wau IDP Camp*, 5 October 2023, <https://dtm.iom.int/reports/south-sudan-camp-inter-sectoral-needs-assessment-isna-wau-idp-camp-september-october-2022>, p. 7. See also, IOM, *South Sudan: Inter Sectoral Needs Assessment (ISNA): Camp Component’s Quantitative Assessment Report Bentiu IDP Camp*, 5 October 2023, <https://dtm.iom.int/reports/south-sudan-camp-inter-sectoral-needs-assessment-isna-bentiu-idp-camp-september-october>, p. 7.

<sup>101</sup> UNHCR, *South Sudan: Overview of Spontaneous Refugee Returns*, 8 May 2024, <https://data.unhcr.org/en/documents/details/108426>, p. 1. “A total of 148,200 South Sudanese refugees returned under adverse circumstances in the first six months of 2023, mostly fleeing Sudan, an increase of 61,600 or 71 per cent, compared to the first six months of the previous year.” UNHCR, *Mid-Year Trends 2023*, 25 October 2023, [www.unhcr.org/sites/default/files/2023-10/Mid-year-trends-2023.pdf](http://www.unhcr.org/sites/default/files/2023-10/Mid-year-trends-2023.pdf), p. 27. See also, UNHCR, *South Sudan Regional Refugee Response Plan*, 28 March 2024, <https://data.unhcr.org/en/documents/details/107552>, p. 7.

<sup>102</sup> Returnees frequently cite “insecurity in country of asylum” (60%), “lack of food in the refugee camps” (23%) and a lack of employment/livelihoods or economic opportunities (15%). Reasons for returning to South Sudan included family reunification (26%), improvement of the security situation (15%) and property (9%). UNHCR, *South Sudan: Overview of Spontaneous Refugee Returns*, 31 October 2023, <https://data.unhcr.org/en/documents/details/104369>, p. 2. See also, UNHCR, *Regional Overview: Internally Displaced Persons*, 7 December 2023, <https://reliefweb.int/report/sudan/unhcr-east-and-horn-africa-and-great-lakes-region-regional-overview-internally-displaced-persons-july-september-2023>, pp. 4-5; UNHCR, *Refugee Returnee Household Survey*, 31 October 2023, <https://data.unhcr.org/en/documents/details/104369>, p. 2.

<sup>103</sup> Surveys indicate that 73% of households plan to return permanently, 9% are undecided and 8% believe they will only stay temporarily. UNHCR, *Refugee Returnee Household Survey*, 31 October 2023, <https://data.unhcr.org/en/documents/details/104369>, p. 2.

<sup>104</sup> UNHCR, *Sudan Situation: Regional Displacement Update*, 7 May 2024, <https://data.unhcr.org/en/documents/details/108508>; UNHCR, *Protection Brief, South Sudan*, July 2023, <https://reliefweb.int/report/south-sudan/protection-brief-south-sudan-july-2023>.

<sup>105</sup> “Since the fighting erupted in Sudan, around 290,000 people have entered South Sudan – 80 per cent of them through the Joda border in Upper Nile state. Although the formal and informal transit centres in Renk are ideally a temporary stopover for people to move further into the country, returnees can spend weeks or even months there. This stay is often exhausting and painful, as people have limited access to food, shelter, water, sanitation and healthcare.” MSF, *South Sudan: Aid Woefully Inadequate for Returnees in Deplorable Conditions*, 3 October 2023, [www.ecoi.net/en/document/2098180.html](http://www.ecoi.net/en/document/2098180.html). “Most [returnees] have entered Upper Nile State which, together with neighbouring Jonglei State, was already facing a humanitarian emergency as a result of flooding and sustained subnational violence from August 2022 to March 2023. [...] In this context, the arrival of hundreds of thousands of people, often traumatized by an arduous journey through the Sudan, has placed immense pressure on an already stretched humanitarian response.” UN Security Council, *Interim report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2683 (2023)*, 1 December 2023, S/2023/922, [www.ecoi.net/en/file/local/2102168/N2333613.pdf](http://www.ecoi.net/en/file/local/2102168/N2333613.pdf), para. 17. See also, Protection Cluster, *South Sudan: Protection Analysis Update*, 29 March 2024, [www.globalprotectioncluster.org/sites/default/files/2024-03/pau24\\_protection\\_analysis\\_update\\_february\\_2024\\_south\\_sudan\\_external\\_version.pdf](http://www.globalprotectioncluster.org/sites/default/files/2024-03/pau24_protection_analysis_update_february_2024_south_sudan_external_version.pdf), p. 6.

illnesses with no access to regular medical treatment or support.”<sup>106</sup> Poor conditions and overcrowded facilities have led to increased rates of malnutrition and a rise in cases of measles among returnees.<sup>107</sup> An additional 96,780 returnees arrived in South Sudan between January and 30 November 2023 from Ethiopia because of worsening violence in Gambella and suspended food aid, which has reportedly strained the reception capacity of the host community in Jonglei State.<sup>108</sup> The large-scale influx into South Sudan has created additional pressures on the country’s limited reception and absorption capacities, compounding the already dire humanitarian situation and necessitating increased support in onward transportation to prevent congestion in border areas and transit centres, as well as immediate life-saving assistance for the returnees, including food, water, sanitation and hygiene, vulnerability and health screening, shelter, vaccinations for children, and psychosocial support.<sup>109</sup>

## International Protection Needs and Non-Return Advisory

28. All claims of nationals and former habitual residents of South Sudan seeking international protection should be processed in fair and efficient procedures in accordance with international and regional refugee law. Persons fleeing South Sudan may meet the 1951 Convention criteria for refugee status on the basis of a well-founded fear of persecution for reasons of one of the Convention grounds.<sup>110</sup> Given the complex security, human rights and humanitarian environment in South Sudan, UNHCR considers that persons fleeing the country are likely to be in need of international refugee protection in accordance with Article 1(2) of the 1969 OAU Convention.<sup>111</sup> UNHCR welcomes States’ granting of refugee status to South Sudanese fleeing situations of conflict and violence in their country using a prima facie approach based on Article 1(2) of the 1969 OAU Convention.
29. While political, security, human rights and rule of law changes are underway in South Sudan, the impact of these changes on the ground are not uniformly witnessed across the country and the feasibility of return under conditions of safety and dignity remains elusive. Therefore, UNHCR reaffirms its call on States to refrain from forcibly returning South Sudanese nationals or habitual residents of South Sudan to any part of the country.<sup>112</sup>

<sup>106</sup> UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, 11 September 2023, S/2023/657, [www.ecoi.net/en/file/local/2097812/N2325808.pdf](http://www.ecoi.net/en/file/local/2097812/N2325808.pdf), para. 25. See also, UNHCR, *Displacement Crisis in Sudan Deepens as Fighting Spreads*, 19 December 2023, [www.unhcr.org/news/briefing-notes/displacement-crisis-sudan-deepens-fighting-spreads](http://www.unhcr.org/news/briefing-notes/displacement-crisis-sudan-deepens-fighting-spreads); The New Humanitarian, *Urgent Help Needed for Stranded South Sudanese Returnees*, 27 July 2023, [www.thenewhumanitarian.org/opinion/2023/07/27/South-Sudan-Sudan-refugees-donors](http://www.thenewhumanitarian.org/opinion/2023/07/27/South-Sudan-Sudan-refugees-donors).

<sup>107</sup> MSF, *Children at Deadly Risk of Measles and Malnutrition after Fleeing Conflict in Sudan*, 17 August 2023, [www.msf.org/children-deadly-risk-measles-and-malnutrition-after-fleeing-conflict-sudan](http://www.msf.org/children-deadly-risk-measles-and-malnutrition-after-fleeing-conflict-sudan). “Despite significant humanitarian efforts, nearly 90 per cent of arrivals face immediate food insecurity.” UN Security Council, *Interim report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2683 (2023)*, 1 December 2023, S/2023/922, [www.ecoi.net/en/file/local/2102168/N2333613.pdf](http://www.ecoi.net/en/file/local/2102168/N2333613.pdf), para. 18.

<sup>108</sup> UN Security Council, *Situation in South Sudan: Report of the Secretary-General*, December 2023, S/2023/976, [www.ecoi.net/en/file/local/2103044/N2340225.pdf](http://www.ecoi.net/en/file/local/2103044/N2340225.pdf), para. 39; Sudans Post, *Over 2000 Returnees Arrive in Akobo from Ethiopia*, 4 October 2023, [www.sudanspost.com/over-2000-returnees-arrive-in-akobo-from-ethiopia/](http://www.sudanspost.com/over-2000-returnees-arrive-in-akobo-from-ethiopia/); OCHA, *South Sudan: Response to the Sudan Crisis Situation Report No. 8*, 28 August 2023, [https://reliefweb.int/attachments/0b25f055-8779-4cc5-9084-033a78906d75/OCHA%20SudanCrisis\\_SSresponse\\_SITREP%2028082023.pdf](https://reliefweb.int/attachments/0b25f055-8779-4cc5-9084-033a78906d75/OCHA%20SudanCrisis_SSresponse_SITREP%2028082023.pdf), p. 1; UNMISS, *UNMISS Leads Team Assessing Humanitarian Situation of 18,000 “Redisplaced” in Akobo*, 28 August 2023, <https://unmiss.unmissions.org/unmiss-leads-team-assessing-humanitarian-situation-18000-%E2%80%99Credisplaced%E2%80%9D-akobo>. “Between July 2023 and January 2024, severe humanitarian conditions and spiralling violence displaced at least 109,000 South Sudanese refugees from the Gambella region of Ethiopia to South Sudan, more than 10% of Ethiopia’s total refugee population. The population influx compounds an already serious humanitarian situation within communities of Jonglei and Upper Nile States”. REACH, *Humanitarian Situation Overview: Ethiopia - South Sudan Cross-Border Displacement*, 21 February 2024, <https://reliefweb.int/report/south-sudan/brief-humanitarian-situation-overview-ethiopia-south-sudan-cross-border-displacement-february-2024-greater-upper-nile-south-sudan>.

<sup>109</sup> OCHA, *2024 Humanitarian Needs and Response Plan: South Sudan*, 28 November 2023, [www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South\\_Sudan\\_HNRP\\_2024.pdf](http://www.unocha.org/attachments/a31b662f-3a02-4790-a09b-39adce6a74bc/South_Sudan_HNRP_2024.pdf). See also, UNMISS, *As Sudan Crisis Continues, Twice Displaced Returnees in Renk, South Sudan, Face Mounting Challenges*, 29 August 2023, [www.ecoi.net/en/document/2096264.html](http://www.ecoi.net/en/document/2096264.html); US Agency for International Development (USAID), *South Sudan: Complex Emergency Fact Sheet #5*, 1 August 2023, [www.usaid.gov/sites/default/files/2023-08/2023-08-01\\_USG\\_South\\_Sudan\\_Complex\\_Emergency\\_Fact\\_Sheet\\_5\\_1.pdf](http://www.usaid.gov/sites/default/files/2023-08/2023-08-01_USG_South_Sudan_Complex_Emergency_Fact_Sheet_5_1.pdf), p. 2; The New Humanitarian, *South Sudanese Returnees Face Hard Homecoming after Escaping Sudan*, 24 May 2023, [www.thenewhumanitarian.org/news-feature/2023/05/24/south-sudan-returnees-escaping-sudan](http://www.thenewhumanitarian.org/news-feature/2023/05/24/south-sudan-returnees-escaping-sudan).

<sup>110</sup> UN General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, U.N.T.S. Vol. 189, p. 137, [www.refworld.org/legal/agreements/unga/1951/en/39821](http://www.refworld.org/legal/agreements/unga/1951/en/39821); UN General Assembly, *Protocol Relating to the Status of Refugees*, 31 January 1967, U.N.T.S. Vol. 606, p. 267, [www.refworld.org/legal/agreements/unga/1967/en/41400](http://www.refworld.org/legal/agreements/unga/1967/en/41400).

<sup>111</sup> Organization of African Unity (OAU), *Convention Governing the Specific Aspects of Refugee Problems in Africa*, 10 September 1969, 1001 U.N.T.S. 45, [www.refworld.org/legal/agreements/oaui/1969/en/13572](http://www.refworld.org/legal/agreements/oaui/1969/en/13572).

<sup>112</sup> UNHCR, *UNHCR Position on Returns to South Sudan - Update III*, October 2021, [www.refworld.org/policy/countrypos/unhcr/2021/en/123939](http://www.refworld.org/policy/countrypos/unhcr/2021/en/123939).

30. The bar on forcible return serves as a minimum standard and needs to remain in place until such time as the security, rule of law, and the human rights situation in South Sudan has significantly improved to permit the safe and dignified returns of those determined not to be in need of international protection.

### Spontaneous Returns

31. UNHCR recognizes individuals' fundamental human right to return to their country of origin. UNHCR equally acknowledges that return may take place in adverse circumstances in contexts where standards for voluntary repatriation are not fulfilled. This may occur owing to several factors, including when protection is not adequately guaranteed in the country of asylum, making return the only viable alternative. Any assistance provided by UNHCR in the context of return to South Sudan aims at supporting individuals who, being fully informed of the situation in their places of origin or an alternative area of their choice, decide to return. Any action by UNHCR to support returns to South Sudan, including efforts aimed at sustainable reintegration for returnees and IDPs in South Sudan, should not be construed as an assessment by UNHCR of the safety in South Sudan for individuals who have applied for international protection in countries of asylum. It should be noted that voluntary, informed returns on the one hand and forced return on the other are processes of a fundamentally different character, engaging different responsibilities on the parts of the various actors involved.

UNHCR  
May 2024